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# *New Mexico Historical Review*



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*January, 1961*

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FRANK D. REEVE	PAUL A. F. WALTER
<i>Associates</i>	
PERCY M. BALDWIN	GEORGE P. HAMMOND
FRANCE V. SCHOLES	ELEANOR B. ADAMS
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VOL. XXXVI	JANUARY, 1961	No. 1
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# NEW MEXICO HISTORICAL REVIEW

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VOL. XXXVI

JANUARY, 1961

No. 1

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## THE CASE OF MAJOR ISAAC LYNDE

*By* A. F. H. ARMSTRONG

ON January 27, 1861, at San Augustine Springs, New Mexico Territory, Major Isaac Lynde, 7th U.S. Infantry, surrendered his entire command to an inferior force of Confederate troops led by Lieutenant-Colonel John R. Baylor, Mounted Rifles, C.S.A.

Reports filed by both sides at the time agree that Lynde surrendered to an inferior force. They agree on the date and place. They disagree somewhat on the size and composition of Lynde's command and the Confederate command. They disagree widely on the causes for Lynde's surrender.

I propose to draw on all the material that contributes to a picture of Major Lynde, his action and its causes, and to arrange this into a cohesive whole, hoping the truth may emerge more clearly than it has heretofore without such correlation. My primary sources are the official military correspondence related to Lynde's surrender, and papers concerning him in the National Archives at Washington. Secondary sources are the published narratives of two participants, the published remarks of a civilian observer, and contemporary accounts from a local newspaper. In working toward a true perspective on Lynde's surrender, I shall occasionally note, not as sources but merely for appraisal, the remarks of various historians who have treated this event briefly in a context of larger happenings, making use of no primary material beyond that cited here.

The general military situation which reached a crisis in the surrender at San Augustine Springs appears in the Army

dispatches of the Department of New Mexico during the early months of 1861.

Colonel E. R. S. Canby,<sup>1</sup> directing the Department from Santa Fe, faced a particularly difficult problem. His superiors had begun to withdraw his regular troops for service in the East, expecting him to replace these with volunteers recruited by the territorial authorities. Many of his officers, meanwhile, were resigning to join the Confederacy. Further, he had information that forces for the invasion of his department were assembling in Texas, and that their probable route would be northward through the Mesilla Valley of the Rio Grande, above El Paso.

Canby moved to meet this complex situation by pressing New Mexico's governor in his slow recruiting of volunteers,<sup>2</sup> by alerting his own loyal officers to the consequence of disloyalty among their former colleagues who either had not yet openly resigned or, if they had, were still in the department, and by reshuffling among the territory's scattered posts the few units of regulars left to him.

Fort Fillmore,<sup>3</sup> forty miles north of El Paso and six miles from the secessionist town of Mesilla,<sup>4</sup> figured as the pivot of Canby's strategy against the invasion. This post controlled the stage road along which U.S. detachments of regulars were about to withdraw eastward from Arizona. Its position made it the first objective for a Confederate advance into New Mexico. Moreover, Fort Fillmore was the jumping-off place for Canby's resigning officers: it was the last fort on their most direct routes from all corners of the Department to Confederate territory, and hence most subject to their under-

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1. Edward Richard Sprigg Canby graduated from the U.S. Military academy in 1839, was brevetted to his captaincy after his Mexican War service, and was commissioned Colonel of the 19th Infantry in May, 1861, taking over the command of the Department of New Mexico after the resignation of Colonel William Wing Loring. Just before the end of the Civil War he was raised to Major General. He was murdered by Modoc Indians near Van Bremmer's ranch, California, while attempting peace negotiations in 1873.

2. *Official Records of the War of the Rebellion* (hereafter designated OR), series I, V. 4, pp. 35-61.

3. Established Sept. 23, 1851, according to its first "Post Return" record in the National Archives.

4. Then the largest town within the Gadsden Purchase, and site of its treaty's signing in 1853. A stage depot on the Butterfield Overland Mail until it ended with Texas' secession early in 1861.

mining efforts to win additional Union officers and enlisted men for the Southern cause.

In mid-June, Canby ordered Major Isaac Lynde, 7th Infantry, to abandon Fort McLane,<sup>5</sup> and take over the command of Fort Fillmore. He warned Lynde of the possible invasion from Texas, of the disaffection of the Mesilla Valley's civilian population, and of the suspected presence of rebel sympathizers within Fort Fillmore itself. Canby placed all responsibility for the Mesilla area with Lynde, including the ultimate decisions to attack or ignore Fort Bliss at El Paso, then held by the secessionist Texans, and to defend or abandon Fort Fillmore. Canby also delegated to Lynde the recruiting of volunteers in the neighborhood. He pointed out Fort Fillmore's value as cover for the troops pulling out of Arizona. He made clear to Lynde that he had no intention of drawing off regulars from Lynde's command. Instead, he promised reinforcements, and some were actually put in motion toward Fort Fillmore.<sup>6</sup>

Lynde was given full freedom to act in any way he saw fit, once he reached his new post. "Colonel Canby desires," wrote Canby's aide, "that you will not consider yourself trammelled by instructions, but will do whatever in your judgment will best secure the interest of the United States and maintain the honor of its flag, and he wishes you to feel assured that you will be supported by every means in his power."<sup>7</sup>

A civilian observer has recorded conditions at Fort Fillmore as he saw them just before Lynde's arrival and for a short time thereafter. William Wallace Mills<sup>8</sup> had been a

5. Near the Santa Rita copper mines and the headwaters of the Mimbres River, about 85 miles west-northwest of Fort Fillmore.

6. *Anderson to Lynde*, June 30, 1861. OR I, 4, p. 51, mentions reinforcements from Fort Buchanan ordered to abandon that post and report to Lynde at Fort Fillmore. A. L. Anderson, 2nd Lieutenant, 5th Infantry, as acting Assistant Adjutant General in Santa Fe, personally transmitted many of Canby's instructions to commanders at the different posts.

7. *Anderson to Lynde*, June 16, 1861. OR I, 4, p. 38.

8. The author of *Forty Years at El Pason, 1858-1898*: Chicago, Press of W. B. Conkey Co., 1901—from which this account is taken. Mills wrote his book while United States Consul at Chihuahua (from 1897 to 1907). He was 25 when he met Lynde at Fort Fillmore. He quotes an extract from a letter Lynde wrote him in 1871, in which Lynde said he remembered talking to Mills ten years before and telling Mills that he did not then believe that "my junior officers would act toward me as they did." I have not been able to locate this letter or anyone among Mills' descendants who might have it.

clerk for nearly a year in the sutler's store at Fort Fillmore, but had gotten another job in El Paso just before the war started. Hearing neighborhood rumors that the fort might be abandoned before Lynde got there, and more rumors of disloyalty among the officers, Mills visited Fort Fillmore on the 1st of July, three days before Lynde came.

Mills talked over the situation, or tried to, with the post's surgeon, James Cooper McKee. The surgeon showed resentment when Mills questioned the loyalty of various officers. However, McKee's assistant, Dr. Alden, concurred with Mills' suspicions, and gave him a note of warning about the disquieting state of affairs at the fort, for Mills to take to Canby in Santa Fe. Mills started north by stage.

A rider overtook the stage with a message from Mesilla which said that secessionists planned to intercept it on a desolate stretch known as the Jornada del Muerto,<sup>9</sup> to remove Union sympathizers. But at Point of Rocks, the supposed place of interception, Mills noted a detachment of U.S. Mounted Rifles, under Lieutenant C. H. McNally, encamped nearby. Their presence no doubt discouraged the raid that had been planned on the coach.

When Mills reached Santa Fe and saw Canby, that officer told Mills he was then in process of removing the current commander of Fort Fillmore, Captain Lane, and had ordered Lynde to take over. Canby gave Mills dispatches to take back to Lynde. When Mills got back to Fort Fillmore, Lynde had arrived there eleven days before.

The secessionist Mesilla *Times* had let the situation at the fort be known to the whole valley. The entire neighborhood knew of Lynde's expected appearance to the approximate day. The *Times* reported planned troop movements to and from the fort, and even the exact date when a dispatch for reinforcements had been sent to another post, with the number of wagons sent to transport them. Secessionists in Mesilla knew exactly how large a garrison was projected. They knew

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9. A 90-mile stretch of desert, without wells in those days, but heavily travelled since the time of the Conquistadores. It was a short cut, leaving the Rio Grande about 20 miles north of Fort Fillmore, to meet it again near Fort Craig. Despite its dangers from Indians and thirst, travellers preferred it, rather than follow the river, which curved widely and made a much longer route.

the probable state of the enlisted men's morale and their payroll troubles. The *Times* told of a rifle company refusing to be paid twelve months' arrears in drafts, holding out for cash. Morale must have dropped even lower when the men read that Union troops at another fort not far away had been paid in full the week before.<sup>10</sup>

Major Lynde reached Fort Fillmore in the first week of July. He found the cavalry section nearly dismounted, for local secessionists had run off with most of the horses. He acknowledged dispatches from Canby naming specific officers to suspect and watch on their way through Fort Fillmore to Texas, but said he had no cause to question the sympathies of the personnel then stationed at the post. He told Canby how poorly he thought the fort was situated for defense, and that it was not worth the exertion to hold it; yet he saw little reason to expect an attack since he felt he now had enough troops to intimidate the Texans, despite his pessimism about being able to raise local volunteers.<sup>11</sup> It is probably fair to say that Lynde's messages to Canby during the first three weeks of July show an inadequate estimate of the danger, and a divided mind on nearly every issue.

Lynde's situation was complicated further by Apache raids on his livestock. The *Mesilla Times* of July 20th reported that Apaches attacked the hay camp at Fort Fillmore on July 17th, taking a boy prisoner and driving off mules; and that the next day they passed within a half mile of the fort, crossed the Rio Grande near Santo Tomas, a village just south of Mesilla and five miles from Lynde and his troops, to run off two thousand sheep and kill two herders. A company of infantry pursued the Apaches to the foothills, ". . . and returned without losing a man!"<sup>12</sup>

When Mills got back to Fort Fillmore with Canby's dispatches to Lynde, Captain Lane, the former commander, was still there. He accused Mills of carrying false tales to Canby. Captain Garland, for whom Lynde had vouched to Canby, ran

10. *Mesilla Times*, June 30, 1861. All *Times* reports, unless otherwise noted, are to be found in the so-called *Hayes Scrap* collection, Bancroft Library, University of California at Berkeley.

11. *Lynde to Canby*, July 7, 1861. OR I, 4.

12. *N.Y. Times* of August 8, 1861, reprinting *Mesilla Times* report of July 20, 1861.

off that same night to the rebels at Fort Bliss. Mills suspected that copies of the dispatches he had just delivered went with Garland.

Lynde called in his aide, Lieutenant Brooks, and let him read the dispatches. Mills says that Brooks showed little desire to shed blood for his country. Canby's orders to Lynde, according to Mills, were to take Fort Bliss and the stores there, and this Mills believed would have been easy. No such order, however, exists in Canby's recorded correspondence.

Mills says Lynde told him of the feeling against Mills among the Fort Fillmore staff, and of his opinion that Mills had acted unwisely to report his suspicions to Canby, even while Lynde confessed that some of his officers were of Southern sympathy. Mills then told Lynde that "treachery and ruin" were all around him. Lynde asked Mills to ascertain the size of the Confederate invading force, which Mills subsequently did, sending an outline of the exact strength opposing Lynde. Mills says Lynde "did not move" on this knowledge.

As will be shown further, Lynde seems to have been in the habit of inviting opinions and ideas not only from civilians, but from members of his command supposedly less qualified than he to plan his operations.

It is a question whether Isaac Lynde's career up to this time had fitted him for the high responsibility he now carried. While his father, Cornelius Lynde, had been looked upon as a military man in the small Vermont village of Williamstown, this reputation came from only a year of service ending in 1800. There is no record of Isaac's progress from his birth about 1805 to his recommendation by neighbors, in 1822, for appointment to the U.S. Military Academy. They described him as "an intelligent, sprightly lad," handsome, and well educated.<sup>13</sup> He entered the Academy in July of 1823, and graduated four years later, thirty-second in a class of thirty-eight. He was sent immediately to a long succession of frontier posts, at first in the Old Northwest, later on the far plains

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13. *Elijah Paine and Dudley Chace to Sec'y of War*, November 13, 1822. From Lynde's "Appointments, Commissions and Personal" file (L736-ACP-1866), in the National Archives.



and deserts. He rose by routine promotions through only three full grades in thirty-four years. Although he served in the Mexican War, his record includes no battles or distinction of any kind.<sup>14</sup> As the posts of the Army moved west in the country's expansion, his place in the infantry gave him little chance for noteworthy action. Foot soldiers served as fixed garrisons, mainly, while the cavalry performed as the active arm. Perhaps Lynde lacked the experience or enough training in decision that events were soon to demand. His preparations for defense, recorded in his messages to Canby, show too little comprehension of his tactical problems at Fort Fillmore, or of the temper of his command and the civilian community around him.

We know that in the weeks before his disastrous surrender he was under many pressures. One came from the disloyalty of colleagues on their way through to Texas, plus the disloyalty among his immediate command. Other kinds of pressure came from the Apaches, from the secessionist civilians, and from the enemy gathering at El Paso. Add to these a lack of sufficient equipment, especially in mounts for his cavalry section; the grumbling among unpaid units of his troops; the fort's women and children whom he was reluctant to send away, weakly escorted, through hostile and waterless desert. These pressures and his poor means of communication with his superiors together might have worn down a leader bigger than Lynde.

In this situation arose an overbearing personality in the shape of McKee, the post surgeon—officious, presumptuous, eternally right.

James Cooper McKee<sup>15</sup> had been stationed once before at Fort Fillmore, and knew many inhabitants of the area. He

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14. Cullum, Maj. Gen. George W., *Biographical Register of the officers and graduates of the U.S. Military Academy*: N.Y., D. Van Nostrand, 1868. Nearly every officer of Lynde's acquaintance, whether an Academy graduate or not, had received recognition for Mexican War service. Many had wounds in addition to their decorations and promotions. Colonel W. W. Loring had lost an arm in Mexico. Lynde's fellow West Pointers and many enlisted superiors and subordinates would seem to have experienced more action than he, and thereby could have been influenced somewhat in their attitudes toward him.

15. According to Francis B. Heitman's *Historical Register and Dictionary of the U.S. Army* (Gov't Printing Office, Wash., D.C. 1903), Post Surgeon McKee came from Pennsylvania and was appointed Assistant Surgeon in 1858. On parole after Lynde's

had returned under orders after Lynde took over the command. Immediately upon his arrival, McKee says,<sup>16</sup> he sensed a coolness among old friends in Mesilla who had become secessionists.

McKee alone reports on Lynde's appearance: gray hair and beard, venerable, quiet, reticent, retiring, giving "... an impression of wisdom and knowledge of his profession."

After a short time McKee came to doubt the Major's efficiency and bravery. "I sadly saw no effort to put the command in fighting trim . . . no measures taken . . . against surprise."

He warned Lynde of the hampering effect of so many wives and children, probably a hundred persons altogether, but he saw no attempt by Lynde to get them out of the way to a safer place. He believed Lynde to be a man treacherous to the Union cause, deliberately exposing Fort Fillmore to capture through neglect of the sensible preparations any loyal commander would have made in those circumstances.

In telling of Lynde's actions and his own, McKee reveals an arrogance, and an eagerness to pre-empt the functions of others, that could well have been highly irritating to the Major. Although a medical man, he took it upon himself to organize various aspects of the defense, not only by drilling troops not assigned to him, but by tagging along with Lynde on rides over the surrounding terrain, to point out the best disposal of the troops at various points. One day he got Lynde to go with him in his buggy to Mesilla, and there he indicated what he judged the best store-rooms and houses for troops to occupy if the town were taken.

The reader of McKee's narrative begins to marvel at Lynde's endurance of so much meddling from one unschooled in military strategy and tactics, whose manner may too well have resembled his writing style. A tone of ponderous satire

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surrender, he was for a time sent to Camp Butler, Illinois, where he took charge of a hospital for sick and wounded Confederate prisoners of war. His reports from there (OR II, 3, p. 647 ff.) indicate a marked concern for the prisoners' welfare. After parole, he served in the war, to be promoted to Major Surgeon in December, 1864, and brevetted to Lieutenant Colonel in 1865 for faithful and meritorious service. In 1887, he became a Lieutenant Colonel Surgeon. He retired in June, 1891, and died in December, 1897.

16. Unless otherwise indicated, the McKee material comes from his *Narrative of the surrender of a command of U.S. forces at Fort Fillmore, N.M. in July, A.D., 1861*: John A. Lowell Co., Boston, 1886, 3rd edition.

resounds in McKee's remarks. He is far from dispassionate, seemingly intent on erasing Lynde as a human being.

This is the man who became angry with Mills, whom McKee saw as a busybody stirring up the affairs of the fort. His failure to see himself in this role shows a convenient obtuseness. It is interesting that his anger arose over the question of loyalty among the officers. McKee is the sort of man who insists on his own wisdom so sharply that when he is wrong he is hopelessly wrong, committed to a fallacy forever. His denial that disloyalty existed goes against the facts which even Canby detected, analyzing reports three hundred miles away in Santa Fe.<sup>17</sup>

At the moment when Lynde's problems had reached their most tangled complication, his formal enemy, but by no means his worst, at last appeared.

On the night of July 24th, a body of Confederate troops under Lieutenant-Colonel John R. Baylor camped within six hundred yards of Fort Fillmore, intending to attack at daylight. A deserting rebel picket warned Lynde and spoiled the plan.<sup>18</sup> On the following morning, Baylor moved across the Rio Grande to take the village of Santo Tomas. There he captured supplies and stragglers from a detail Lynde had sent a week previously to guard the road from El Paso to Mesilla. Then Baylor went north to Mesilla and billeted his command.

Lynde seems to have had full information on Baylor's approach. He reports<sup>19</sup> that the deserting picket estimated the Confederates at three to four hundred. Lynde says he ordered the two outposted companies to return from Santo Tomas and kept his troops under arms until daylight, the night of the Confederates' proximity. It is apparent that he decided that

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17. Knowledge of the danger had spread widely in the Department. Colonel Benjamin S. Roberts, commander at Fort Stanton in 1861, and Lynde's successor in charge of the southern New Mexico military district after Lynde's surrender, testified a year later to the damage done by "deserting" officers. He referred particularly to Fort Fillmore, saying it served as a rendezvous for such officers, that they tried "mightily" to get Lynde's command to desert, and that they so demoralized the Fort Fillmore troops that Lynde's surrender "was directly consequent upon that state of demoralization, as he had no confidence that his men would fight." (Roberts' testimony before the Committee on the Conduct of the War, 37th Congress, 3rd Session, Senate Reports 4, p. 366).

18. Mentioned by Lynde and Baylor in OR I, 4; Hank Smith in his *Memoirs* (full citation hereafter); the *Mesilla Times*, August 3, 1861.

19. *Lynde to Anderson*, July 26, 1861. OR I, 4, p. 4.

Baylor must be driven from Mesilla, for he took immediate action when Baylor reached it.

Leaving one company of infantry and the band to hold the fort, he set his troops in motion, shortly before noon on July 25th, to cross the intervening bottom land and river, toward the village six miles away. His attacking force was three hundred and eighty men. One of his infantry companies served as artillery, manning the howitzers. According to Lynde's estimate, the Confederates, augmented by belligerent citizens of Mesilla, numbered nearly six hundred men.<sup>20</sup>

Two miles from the town, Lynde sent his aide, Lieutenant Brooks<sup>21</sup>, forward with a white flag, demanding surrender. Brooks was met by Major Waller, Baylor's second in command, and a Confederate colonel whose last name was Herbert. They said that if Lynde wanted Mesilla, he was to come and get it. Lynde then moved his howitzers forward and had them fire shells at long range. The shells burst short in the air. The command moved slowly toward the houses. Men hauled and pushed the howitzers through heavy sand.<sup>22</sup> From a cornfield and house on the Union right, a heavy musket fire raked Lynde's troops, killing three men, wounding two officers and four men. Because the night was coming on, says Lynde, and because his howitzers were useless due to the sand, he withdrew across the river and returned to the fort.

Such was the whole extent of Lynde's attack on Baylor. He crossed a shallow river with three hundred and eighty men, advanced six miles, fired two howitzer shells, received one volley from the rebel muskets, and thereupon withdrew.

What happened to Lynde at Mesilla? Some have insisted he turned tail through cowardice. Others have called it

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20. *Mesilla Times*, August 3, 1861, estimates Baylor's force at 253 effectives, plus "... a number of the citizens of Mesilla and El Paso . . .", bringing the total to "about 300 men."

21. Lynde does not mention McKee here in the official report (OR I, 4, p. 4), although McKee in his statement (*ibid.*, p. 12), says he accompanied Brooks. In his *Narrative*, McKee says Lynde asked him to go with Brooks because he knew many of the townspeople.

22. Ordinarily, 12-pound howitzers were serviced both in order of march and in battery by six men and three mules (Viele, Egbert L., *Handbook for active service*: N.Y., D. Van Nostrand, 1861). Mules at the fort may have been stolen, with the horses, a month previously as reported in the *Mesilla Times*, June 30, 1861.

treachery. Lynde himself shortly after reported it as strategy, dictated by the oncoming dark and the useless guns.

Canby was to offer, twelve months later, what might well be the most reasonable explanation, different from all others. But by the time Canby spoke, Lynde's action and the possible motives for it were blurred and lost, possibly forever, in the roar of less rational voices than Canby's, and in the thunder of an accelerated, bigger war. Lynde would add more reasons when appealing for justice a few month hence, but meanwhile his official statement written the following day was bare to the point of reticence. Others, however, saw, or thought they saw, more in the skirmish than did Lynde—at least more than he then put on paper. Their reports indicate a knottier tactical problem than Lynde outlined to Canby. The *Mesilla Times*, nine days after the skirmish, paints the richest picture of all:

About 5 o'clock the clouds of dust indicated the enemy were advancing for an attack towards the Southern part of the city. The whole force was moved to that point and every precaution made to give them the warmest of receptions. Several of the principal streets of Mesilla converge at the Southern end of the town, the houses forming an angle and are quite scattered, old corrals and the proximity of the cornfields make the position a very advantageous one for defense. The companies were stationed on the tops of the adobe houses and behind the corrals. Capt. Coopwoods company was mounted. The citizens posted themselves on the tops of the houses on the principal streets, prepared to render their assistance.<sup>23</sup>

At that time, Mesilla's "citizens," if the *Times* means able-bodied men, would probably have numbered six or seven hundred, since the "city" had a total population of a little over two thousand men, women and children. The "principal streets" were—and still are—dirt roads. Mesilla was the rawest kind of frontier village. Hence, there must have been a disproportionate number of unattached males, and even the seven hundred count could be low.

The *Times* continues:

The enemy advanced to within 500 yards of our position and halted and formed the line of battle with two howitzers in

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23. *Mesilla Times*, August 3, 1861.

the centre and the infantry and on the wings the cavalry, the whole force appearing to be about 500 men. A flag of truce was then sent to our position with the modest demand to surrender the town unconditionally, the reply was 'that if they wished the town to come and take it.' They unmasked their guns, and commenced firing bombs and grape into a town crowded with women and children, without having in accordance with an invariable rule of civilized warfare given notice to remove the women and children to a place of safety.

This exact language will be heard again, in the narrative McKee published seventeen years later. The town had five hours to dispose the noncombatants from the time Lynde was observed crossing the river. The watchers must have discovered his howitzers enroute. They must have guessed his intentions. Their own neglect of precautions for the safety of the women and children presents a riddle.

The *Times* goes on to describe the Union cavalry charge, its repulse by Confederate musket fire, and the killing of four troopers and the wounding of four, causing a retreat in confusion.

"... The order was given to charge four times to no purpose..."

Then, according to the *Times*, the Texans performed an ancient trick:

Capt. Coopwoods company had been continually employed in deploying among the houses and corrals, first appearing mounted and then on foot, and appearing in many different positions . . . succeeded in greatly deceiving the enemy as to our real force . . .

Perhaps the most striking feature of the *Times'* account is its openly partisan tone. The reporter speaks as if formally sworn to the military oath of the Confederacy.

McKee's first version of the Mesilla skirmish is included in a report to the Surgeon General dated three weeks after the event.<sup>24</sup> He says that when Lynde's force moved forward, the cavalry was in front, the artillery in the road. The howitzers fired into an enemy group on the right and scattered it.

24. OR I, 4, p. 11.

When the Confederate muskets answered, Private Lane of the Mounted Rifles and two men in Lieutenant Crilly's cavalry unit were killed. Lieutenant McNally of the Rifles was wounded. McKee says Lynde told him to prepare the wounded for retreat.

He embellished this brief account seventeen years after the incident from notes and memoranda he claims to have made at Fort Fillmore in those days. After telling of Lynde's demand for Mesilla's surrender, and Baylor's refusal, McKee says he offered to care for the Confederates soon to be wounded. This offer was rejected "abruptly." Less patient with him than Lynde, the Confederate officers were telling McKee, in effect, to mind his own business. They had their own surgeons, they said.

McKee's narrative agrees in substance with the *Mesilla Times*, in telling of Lynde's strange disposal of his force:

. . . he ordered Lieut. McNally<sup>25</sup> to deploy his column mounted in *front* of the infantry . . . conspicuous targets for the Texans lying . . . concealed in the adobe house . . . Lieut. McNally was shot through the apex of one of his lungs, four men killed and several wounded . . . [the cavalry] at this surprise retreated behind the infantry . . .

Here McKee repeats the language of the *Times* account almost verbatim:

. . . Lieut. Crilly<sup>26</sup> was ordered to fire shells into the town full of women and children; indeed, I heard Lynde order Crilly to fire a shell at a group of women, children, and unarmed men,

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25. Christopher Hely McNally, born in England, came to the United States some time before December, 1848, at which time he became a sergeant in the Mounted Rifles. He is mentioned in General Orders No. 22, of 1858 (Senate Documents, 35th Congress, 2nd Session, Report of the Sec'y of War, p. 20) where he is reported to have taken part, as a 2nd Lieutenant, in a battle against the Mogollon Indians in the Gila River area, May 24, 1857. For his action at Mesilla, he was later brevetted to a captaincy. He served through the Civil War, after he recovered from his Mesilla wound and had been exchanged out of parole, and was raised to a major's rank in November, 1865, for meritorious service. Except for the date of his death in 1889, Heitman lists nothing further on him.

26. Francis J. Crilly, 2nd Lieutenant, 7th Infantry, was only two years out of West Point at this time. 1st Lieutenant Cressy, Mounted Rifles, another of Lynde's officers, had graduated the year before Crilly. Their classes contained less than thirty members each, so they must have known each other well at the Academy. Crilly was exchanged from parole and went back into the war the following year. At its close he was brevetted to Major and Lieutenant Colonel, served five more years and resigned from the Army in 1869.

on one of the sand-hills to our left front; a shell was so fired; luckily it fell short, and no harm was done. The frightened crowd dispersed rapidly. So, without having, in accordance with the humane rule of civilized warfare, given notice to remove the women and children to a place of safety, shells were thrown into different parts of the town, fortunately injuring no one...<sup>27</sup>

It seems quite certain that McKee relied on the old newspaper to augment his "notes and memoranda taken at Fort Fillmore." If he did, one wonders how he got a copy of an issue dated nine days after the incident when he was far away from the area—or a copy seventeen years old when he sat down to write his *Narrative*.

At Lynde's order, McKee, apparently snorting like a war horse, departed from the field of withheld glory. He put the dead and wounded into his ambulance "reluctantly." Then he placed McNally on a litter and started for the river with the column.

McNally turned in his report of the action. It was included among the depositions sent by Canby in September to the Adjutant General's Office. It strengthens a conviction one gets from various remarks by McKee, that McNally and McKee were close friends. Before describing the attack on Mesilla, McNally tells how he and the surgeon ". . . insisted upon Lynde's sending away the women and children, 103 in number from the fort. He had an opportunity to send them away, but refused. After this [McNally and McKee] insisted upon his occupying Mesilla . . ." Either Lynde first appeared to this pair as putty, later disappointing them with his resistance to their meddling (which on McNally's part, at least, sounds like insubordination), or he invited their opinions out of weakness. One cannot be sure.

Later, McNally recounts, in the third person as was required for such a statement, that twice he induced Lynde to order the rebel flag hauled down in Mesilla.

. . . twice he gave the order; twice McNally was saddled up [to go to the town and haul down the flag] and twice he rescinded it. The second time his adjutant, Mr. Brooks, (who had

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27. *Narrative*, p. 16.



previously resigned,)<sup>28</sup> came to McNally and told him that he had prevented his going to Mesilla, as he thought it best not to bring on a collision with the Texans. The first time he would have gone, but he (Brooks) prevented it.<sup>29</sup>

The day after the rebel picket warned the fort, McNally's detachment scouted the valley, to keep track of Baylor's movements. Even this small mission felt the presence of Surgeon McKee. The doctor now had assumed a new duty as the eyes of the fort, in addition to organizing its garrison and planning its defense.

In describing the skirmish at Mesilla, McNally records confusion in several new aspects:

. . . [Lynde] ordered McNally to form and go ahead . . . got within 60 or 70 yards . . . Halted, and reported in person that they were there in the jacals and corn fields . . . McNally dismounted and fired at random. They fired another volley. Remounted, not being supported. Sent to Major Lynde, who could not be found, and not being supported by infantry or artillery, ordered his men to retreat. In retreating, the Seventh Infantry fired into us . . .<sup>29</sup>

Baylor's report, written two months later, says that the Union horsemen ". . . retreated hastily, running over the infantry . . ." In a few moments he saw Lynde's command marching back to Fort Fillmore:

. . . but supposing it to be a feint, intended to draw me from my position, I did not pursue them, but kept my position until next morning, the 26th, expecting that they would attack us under cover of night.

The enemy not appearing, I sent my spies to reconnoiter, and discover, if possible, their movements. The spies reported the enemy at work at the fort making breastworks . . . I sent an express to Fort Bliss, ordering up the artillery . . .<sup>30</sup>

In Lynde's report to Canby, dated the day following his action at Mesilla, he says he is ". . . hourly expecting attack,"

28. This is the only reference to Brooks' resignation in any of the statements and reports, although Heitman lists his resignation as dated May 16, 1861. No explanation of his subsequent presence in Lynde's command has come to light.

29. OR I, 4, p. 14.

30. *Baylor to T. A. Washington*, September 21, 1861. OR I, 4, pp. 17-20.

and tells of spending the day fortifying the fort with sand-bags.<sup>31</sup>

His tardiness in this procedure is cause for wonder. Fort Fillmore's plan was peculiarly innocent of the basic provisions for defense, standing as it did like a square-bottomed U, its open end facing the river and the road from El Paso. It stood at the edge of a most inviting sweep of level land for attacking cavalry. As Lynde had reported on arrival, the fort was not in position to withstand a siege:

. . . It is placed in a basin, surrounded by sand hills . . . and they are covered by a dense growth of chaparral. These sand hills completely command the post, and render it indefensible against a force supplied with artillery. A force of a thousand men could approach within 500 yards under perfect cover . . .

Now, in the skirmish report, Lynde tells Canby that he is sending an express to a Captain Gibbs, apparently on his way from Fort Craig southward toward Fort Fillmore with a cavalry detachment, telling Gibbs to turn and go back. Lynde adds that orders will go out to the troops coming in from Arizona, alerting them to the dangerous situation at Fort Fillmore, and directing them to turn short of the post and proceed by the nearest route northward to Fort Craig.

The tone throughout this report is that of a man who has made an orderly withdrawal to a position which, although it had not previously been prepared, can now effectively be defended. He does not say that he is thinking of abandoning the fort, or that he has decided to abandon it, or that he is in the process of doing so. He is building up its defenses while he awaits an attack by Baylor.

It must have shocked Canby, therefore, when he opened Lynde's next dispatch, dated August 7th, not from Fort Fillmore, but from Fort Craig:

Sir: On the 26th of July I had the honor to report the fact of an unsuccessful attempt to dislodge the Texan troops from the town of Mesilla, since which events of the greatest consequence to my command have occurred. They are now prisoners of war . . .<sup>32</sup>

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31. *Lynde to Canby*, July 7, 1861. OR I, 4, p. 4.

32. *Lynde to Anderson*, August 7, 1861. OR I, 4, pp. 5-6.

The day of his sandbag message, Lynde had heard that the enemy would get artillery during the night. If he went to intercept it, Baylor could have attacked the fort in his absence. If he sat tight, he felt, as we know, that the fort could not stand a siege. It was overtopped by the sand hills, and water would have to be carried from the Rio Grande, a mile and a half to west.

... Other officers, with myself, became convinced that we must be eventually compelled to surrender if we remained ... that our only hope of saving the command from capture was in reaching some other military post. I therefore ordered the fort to be evacuated, and such public property as could not be transported ... to be destroyed as far as time would allow, and at 1 o'clock A.M. on the 27th of July I took up the line of march for Fort Stanton ...<sup>32</sup>

The *Mesilla Times* for August 3rd, 1861, reports the destruction:

... much valuable property and munitions of war ... muskets, clothing, a blacksmith's shop, bakery and one of the Quartermaster's store rooms had been completely burned down. The majority of the buildings were uninjured, and can be immediately occupied by the Confederate forces. The Hospital stores, medicines and furniture were most completely broken up, and nearly all the arms and a great quantity of ammunition destroyed ...<sup>33</sup>

Lynde had no personal knowledge of the road to Fort Stanton, but it was reported to him that the first day's march of twenty miles would bring the command to abundant water, just over a pass through the mountains to the east, at San Augustine Springs.

His report continues with a description of the march, saying the command had no difficulty until daylight. Then the

33. Lydia Spencer Lane found Fort Fillmore almost obliterated, a pile of adobe dust, when she passed the site in 1869 (*I married a soldier*: Phila., J. B. Lippincott, 1893). Today irrigation has extended cotton fields into a portion of the post's original area, and bulldozers, in setting up a levee, have exposed old foundations and have brought broken floor tiles to the surface. Much broken china in one quarter betrays the location of the mess hall and kitchen, and horseshoes, nails and ashes indicate where the blacksmith shop once stood. Local "fort-hunters" have found innumerable pre-1861 military buttons, howitzer fuses, infantry and cavalry hat ornaments, minie bullets, and other fascinating debris.

sun started to burn cruelly. Men and teams began to tire. The distance turned out to be greater "than had been represented." By the time they reached the pass, men were falling everywhere from heat and thirst. Lynde now faced a decision that has torn commanders ever since the first book on tactics. He would have to get water swiftly, and yet this meant splitting his command.

... Up to this time there was no indication of pursuit. I now determined to push forward with the mounted force to the Springs, and return with water for the suffering men in the rear. When I had nearly reached the Springs word was brought to me that a mounted force was approaching ... believed to be Captain Gibbs ... that supposition was confirmed by another express ...

... I found the supply of water so small as to be insufficient for my command. After procuring all the water that could be transported by the men with me I started back to the main body. After riding some distance I became so much exhausted that I could not sit upon my horse, and the command proceeded without me ... I returned to the Springs ...<sup>34</sup>

Then word came to Lynde that a large force of Confederates was approaching his rear guard. To meet this new crisis, he found that no more than a hundred of his infantry remained fit for combat, the rest having collapsed, "totally overpowered by the intense heat."

The *Mesilla Times* included details that Lynde was too far forward to have known about:

... the way to the Springs had the appearance of a complete rout ... lined with guns, cartridge boxes, etc., thrown away by the fugitives. Men were lying by the roadside almost dying from fatigue and thirst ... friend and foe suffered most intensely ... men were taken prisoners and disarmed in squads ...<sup>35</sup>

The memoirs of a private soldier on the Confederate side contain a sidelight on the retreat unnoticed by anyone else. Nevertheless it has attracted more attention from historians than has Lynde's purported shelling of Mesilla's women and

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34. *Lynde to Anderson*, op. cit.

35. *Mesilla Times*, August 3, 1861.

children. For that reason, if for no other, it deserves discussion here.

Hank Smith makes the interesting statement that he found the Union soldiers drunk.<sup>36</sup>

Smith had been a member of an Arizona surveying party recruited *en masse* a few days before Lynde marched on Mesilla. While Smith calls Lynde "Lyons," there is no mistaking that in spite of his misspellings, he has heard most of the names in the engagement. His account sketches homely vignettes that other writers overlooked or did not know about, such as the Union infantry's feast on "roasting ears" in the fields around Mesilla while waiting for the action to start. These sketches commend Smith's eye for detail, but his sense of the time interval between the Mesilla skirmish and the surrender at the Springs is less exact—probably distorted by an excursion in which he shared, procuring horses up and down the valley for the Confederate cavalry. To Smith, this took about five days to accomplish, although less than forty-eight hours passed, actually, between the skirmish and the surrender.

Smith makes other contributions plausible in the general picture, such as Lynde's placing cottonwood pickets across the open end of Fort Fillmore's parade ground to render the post less vulnerable. But Smith puts this operation between the hour of Lynde's return from Mesilla and the hour of his retreat toward the Springs, an insufficient period for so large a job. Lynde's report of the sandbag project seems more admissible. Smith also talks about Union reinforcements arriving from Fort Stanton. These do not figure in the official reports, and no record exists of their having been dispatched.

On the whole, one can believe that Smith was present during a large part of the action, or at least in the neighborhood, and that he heard rumors about any events he did not actually witness. But in looking back, he has been unable to separate memories from hearsay.

Hank Smith's most striking contribution to the general legend—which he alone makes, and which has been somewhat

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36. "Memoirs of Hank Smith," *Panhandle-Plains Historical Review*, Vol. I, No. 1 (1923), p. 78.

carelessly perpetuated by historians<sup>37</sup>—is his recollection of drunkenness among Lynde's retreating troops.

... we began to overtake the infantry scattered along the road in little bunches . . . We would stack the guns and take all the ammunition. We found some of the guns loaded with whiskey and a good portion of the soldiers drunk and begging for water . . .

If this were true, it is understandable that Union officers omitted it from their reports. However, Baylor could have included it, but did not. The *Mesilla Times* is oddly silent if the incident really happened, considering its satirical treatment of Fort Fillmore's garrison on other occasions.

The *Times* had the entire Confederate command as a source for material unflattering to the Union. If anyone at all, either from the group that pursued Lynde or from the town and valley, had known of liquor in the Union muskets, it is difficult to imagine the *Times* withholding such a morsel from a gossip-hungry countryside. One feels forced to conclude that no one, not even Smith, had the wit to invent this

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37. More than careless, in my opinion, and even slanderous, is William A. Keleher's treatment of this supposed incident, in his *Turmoil in New Mexico*, p. 150. The extent of Keleher's embroidery can be indicated only through reprinting his vivid description in full. Sounding like an eyewitness with his wealth of detail, he writes as follows:

"Word was whispered about the barracks that boxes of hospital brandy, and kegs of medicinal whiskey, in goodly number, were to be abandoned. As the soldiers appraised the situation, abandonment of a military post under orders was one thing, but abandonment of high class liquor was a much more serious matter, one that required consideration and reflection. The soldiers met the situation sensibly, and in the beginning, with discretion. First one trooper, then another, and then many, took a moderate swig of the soon-to-be-abandoned liquor, then each helped himself to a drink that seemed more appropriate to the occasion. One sergeant of the "old army" decided that a drop of brandy, or perhaps two or more, on the road to Fort Stanton might be eminently fitting under the circumstances. Pouring the water out of his canteen, he replaced it with liquor. Others, recognizing the sergeant's commendable conduct, substituted liquor for water in their canteens. But on the cross country march from Fort Fillmore to San Augustine Springs, soldiers with liquor in their canteens instead of water suffered severely from thirst."

As his source, Keleher cites the *Las Vegas Gazette* for August 25, 1877. He does not say whether he means Las Vegas, Nevada, or Las Vegas, New Mexico. In either case, he devotes the better part of a page to adapting a story that appeared in a newspaper hundreds of miles from the scene and sixteen years after the event.

H. H. Bancroft, while less lyrical than Keleher, nevertheless adds the support of his reputation to this legend, although he shows nothing to confirm his remarks. He says: ". . . as is stated, the men had been given all the whiskey they wanted, and were mostly drunk. . . ." As is stated by whom? The men were given whiskey by whom? (*History of Arizona and New Mexico*, San Francisco, The History Company, 1889, p. 699, n. 14). As far as I have been able to discover, the original responsibility for this story still rests with Hank Smith and his *Memoirs*.

story at the time of the surrender. Smith reserved, or manufactured, the story for his memoirs. Perhaps it arose from some other of his adventures, at another place, another time. Of his experiences in the Mesilla Valley, we cannot be wholly certain as to what he really saw there.

For lack of corroborating witnesses, Hank Smith's story must be shelved, although the surgeon, McKee, by his omission of it, prevents its final burial. McKee made much of his destruction of hospital stores as ordered by Lynde.<sup>38</sup> He describes this destruction as total, even though his commander stipulated that no fire be used. He cites the *Mesilla Times*, to prove his own efficiency, for the *Times* compared the hospital wreckage with the small damage throughout the rest of the fort. Certainly in all that glass-breaking (signs of which remain to this day), the medicinal whiskey, rum and wine must have perished. If Hank Smith is accepted as a truthful reporter, then McKee, at the very least, is either a forgetful man in this instance, or a protector of "as good and true a set of soldiers as ever fired a musket,"<sup>39</sup> whom he felt had been betrayed by Lynde. On the other hand, he could be masking by silence his own neglect, or even his disobedience, if he let the liquor get into the hands of the troops.<sup>40</sup>

Drunk or not, Major Lynde's command had fallen into helpless disorganization. Lynde sensed this, although probably not completely, as he rested at the Springs.

Now appeared a new actor in the Major's personal tragedy: a man who was to cause him more anguish in later years than the pursuing rebels would cause in the next half hour.

Captain Alfred Gibbs of the Mounted Rifles had been herding beef cattle southward from Fort Craig to Fort Fill-

38. In the *Narrative*, p. 18, McKee says he refused to accept the verbal order which Lieutenant Brooks relayed to him from Lynde, because he would have to report to the Surgeon General the disposition of the stores. Brooks thereupon sat down in McKee's quarters and wrote the order out.

39. *Narrative*, p. 17.

40. This is only a possibility, and even suggesting it may be unfair to McKee, considering his creditable service with the Army up to his Fort Fillmore assignment, and after it for the balance of the war. But however thin, the possibility is there and I cannot ignore it entirely. McKee's extravagance in praising the troops, and stressing his own efficiency in all matters, measured beside his further extravagance in his abuse of Lynde, should convince any careful reader that McKee is not telling the whole story. There appears to be a disturbed current of emotion underrunning the facts as McKee saw them—emotion whose cause does not appear in the facts as observed by others.

more. Lynde had sent Gibbs warning to stay away, after the Mesilla skirmish.<sup>41</sup>

Disregarding this message, Gibbs had swung widely to approach Fort Fillmore from the side opposite to the one that faced Mesilla, hoping to get in unobserved. Meanwhile, Lynde had begun his retreat. Gibbs' detachment suddenly came upon the middle of Lynde's exhausted column, as it straggled toward the pass. As McKee describes this encounter, Gibbs "unfortunately joined us at this time, fell into the trap, and was compelled to accept our fate. . . ."

That Gibbs fell into a trap is doubtful because of his record.<sup>42</sup> He was a brave, professional cavalry leader with enough field experience to read the signs at once. He dashed boldly into the trap and, by his own account and McKee's, put

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41. Gibbs reached Point of Rocks, on the Jornada del Muerto, on the night of the 23rd. On the morning of the 26th, he encountered Captain Lane of the Mounted Rifles, conducting a wagon train from Fort Fillmore north to Fort Craig, accompanied by Dr. Steck, the Indian agent. They warned Gibbs of the proximity of the Texans, for they had left Fort Fillmore on the 24th, at which time the Texans had been discovered marching to Mesilla from El Paso.

The wagon train here is the "commissary train" Lynde was to mention as the core of his strategy in attacking Mesilla, stated in his petition to President Lincoln on Christmas Eve. See p. 28.

Lydia Spencer Lane, Captain Lane's wife, reports (*op. cit.*) the meeting with Gibbs, after telling how she and her husband had sold their furniture and china before starting north along the desolate Jornada to his new post. Her most startling statement is that a letter she wrote to an Andrew Porter, which Porter telegraphed to Washington, was the "first intimation" the War Department received of Lynde's surrender.

At Lane's request, Gibbs stayed by him all day of the 26th, to protect him from possible Confederate attack, and then started at sunset toward Fort Fillmore.

42. According to Cullum, Gibbs went from West Point to the Mounted Rifles, serving first at Jefferson Barracks in 1846. From there he proceeded directly to the Mexican War and was wounded at the battle of Cerro Gordo in April, 1847. He was immediately promoted to Brevet 2nd Lieutenant for gallant and meritorious conduct. By August, 1847, he was back in the fighting, and took part in the engagements at Contreras, Churubusco (in Kearny's charge on the San Antonio Garita), Chapultepec, and in the capture of Mexico City. After the war he served in the Pacific Division, the Department of Texas, at Fort Fillmore (1856-57), scouting against the Apaches (by whom he was severely wounded), and other frontier duties. He achieved his captaincy in May, 1861, and was assigned to the commissary department, on which duty he had served less than two months when he started down to Fort Fillmore with the beef cattle for Lynde's garrison.

General Dabney Herndon Maury records (in *Recollections of a Virginian*: N.Y., Chas. Scribner's Sons, 1894, p. 118) that Gibbs, pursuing Apaches, was ". . . desperately wounded . . . at the conclusion of a most energetic pursuit and action which had been a complete success . . ." The details of Gibbs' career, and the tone of his dispatches, indicate energy and action throughout. The contrast in temperaments and performances of Gibbs and Lynde are striking indeed. The dashing young cavalry captain, battle-scarred and in a rush toward further war, must have felt scant sympathy for the older, less imaginative infantry major.



all his energies into keeping it from closing on the collapsing Fort Fillmore command. Taking his cavalry rapidly along the line of march, he caught up with Lynde at the Springs. His report of the day's subsequent action, added to Lynde's, gives a vivid picture of the retreat's last stages.

... Reported to Major Lynde and asked for orders. He told me that there were two companies of the Seventh Infantry in rear guard, and that they, with the Rifles, would protect the rear. Filled my canteen at the Springs; rejoined Major Lynde about 2 miles from it, returning to the front . . . He told me to protect the rear . . . as long as I saw fit, and then return to the camp at the Springs. Rejoined the mounted force . . . formed at the foot of the hill in front of the enemy . . . infantry rear guard was completely broken down . . . I had nothing but the mounted force to rely upon . . .<sup>43</sup>

Gibbs found the road blocked by baggage wagons filled with stores, women and children. Howitzers were fastened behind these wagons. Gibbs sent men to get the howitzers into action, but no ammunition could be found for them. His seventy men, lightly armed, faced three hundred, and Gibbs saw the terrain as favorable for no more than a single charge.

... In order to gain time, I kept deploying into line, and by rapid formations gaining ground by our superior drill, to allow the main force now approaching the Springs . . . to form before I reached them. I then rode rapidly to the front, and reported to Major Lynde with my command that the enemy were about 2 miles in the rear and rapidly advancing. I asked him where I should take my position. He told me that I might water my command and horses . . . while I was doing so, Major Lynde sent me an order not to move . . . sent me word later that I could leave for Fort Stanton if I chose. Before I could mount I received another order not to move from camp. I went towards him . . . saw him in conversation with two mounted officers, whom I did not know . . . I heard Major Lynde say, 'I agree to these terms' . . . Nearly every officer protested earnestly, and even violently, against this base surrender . . .<sup>44</sup>

Then Gibbs describes the "altercation by Major Lynde's subordinates" becoming so strenuous that the Confederate

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43. OR I, 4, p. 10.

44. OR I, 4, pp. 10-11.

commander, Baylor, asked who was in charge. McKee took part in this altercation, according to his official statement:

. . . I, among other officers, entered my solemn protest against the surrender, but were peremptorily told by Major Lynde that he was the commanding officer . . .

McKee cannot resist anticipating his later role as chronicler of melodrama, even in a supposedly factual report to an exclusively military audience. He continues:

. . . To see old soldiers and strong men weep like children, men who had faced the battle's storm of the Mexican war, is a sight that I hope I may never again be present at. A braver and truer command could not be found than that which has in this case been made a victim of cowardice and imbecility . . .<sup>45</sup>

Seventeen years later, in his published narrative, he was even more struck by the splendor of the boys in blue at their last stand. He remembered, or found in his notes, quite different men from the victims of heat and thirst that Gibbs saw lying under bushes, unable to rise; that Baylor reported unfit for combat; that Hank Smith found loaded with whiskey. To McKee, ". . . at least five hundred infantry and cavalry, trained, disciplined and well-drilled . . ." contrasted strikingly with the ". . . badly armed . . . irregular command of Texans." As for his protests to Lynde with other officers, he remembers them as ". . . farcical and ludicrous in the extreme . . . too late . . . ought to have been done before . . ." <sup>46</sup>

In minute details of happenings before, during and after the two days of skirmish, retreat and surrender, the *Narrative* displays great certainty. But McKee questions his memory on the number of Union companies captured—one of those large, familiar facts that should easily be retained by one so close to the affair, so convinced of his own Napoleonic omniscience in military matters.

Lynde took a clearer, less emotional view, stating a simple case to Canby:

. . . Under the circumstances I considered our case hopeless; that it was worse than useless to resist; that honor did

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45. McKee to the Surgeon General, August 16, 1861. OR I, 4, p. 11.

46. *Narrative*, pp. 21-22.

not demand the sacrifice of blood after the terrible suffering that our troops had already undergone, and when that sacrifice would be totally useless . . .

The strength of my command at the time of surrender was, Mounted Rifles, 95 rank and file and 2 officers . . . seven companies of the Seventh Infantry, with 8 officers . . .<sup>47</sup>

At this point, for the first and only time in his dispatches, Lynde's personality seems to appear momentarily from behind the formal, military report:

. . . Surrounded by open and secret enemies, no reliable information could be obtained, and disaffection prevailing in my own command, to what extent it was impossible to ascertain, but much increased, undoubtedly, by the conduct of officers who left their post without authority.<sup>48</sup> My position has been one of great difficulty, and has ended in the misfortune of surrendering my command to the enemy. The Texan troops acted with great kindness toward our men, exerting themselves in carrying water to the famishing ones in the rear; yet it was two days before the infantry could move from the camp, and then only with the assistance of their captors . . .

Lynde and his officers and men, except for a few who then and there either joined the Confederates or chose military imprisonment, were paroled out of the war. Baylor gave them enough rifles and food to get them north through Indian country to Canby's headquarters at Santa Fe. From there, Lynde's command broke up in scattered assignments to non-belligerent duties.

Lynde started the long journey eastward to meet certain punishment. Aged 55, he was not yet an old soldier, yet he had come through a long and uneventful career to within

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47. OR I, 4, p. 6. Captain J. H. Potter's official recapitulation of the troops surrendered (OR I, 4, p. 15) lists 11 commissioned officers and 399 enlisted men including non-commissioned officers paroled; 16 taken by the Confederates as prisoners of war; 26 deserters; and "40 available for service, not paroled." This totals 492 men, somewhat less than the "700 effective men" referred to in the *Mesilla Times* (August 3, 1861), or the "between five and six hundred veterans" of McKee's *Narrative*, and somewhat more than the "three officers and 300 men" of Hank Smith's *Memoirs*.

48. Whether Lynde refers to officers who resigned and passed through his post on their way to the Confederacy, or to officers in his immediate command who forsook their duties without leave, is not evident in this writing. In Lynde's statement routed by President Lincoln to the Judge Advocate General on January 8, 1862, he names Captains Garland and Jones in the latter connection. As for the former possibility, see *Canby to Adjutant General*, March 16, 1866, summarized in this essay, beginning on page 25.

sight of honorable, pensioned retirement. But if he had counted on this, the dream had burned away in the desert on the road to San Augustine Springs. Now, even as the mesquite and wind-blasted hills sank behind him, the angry repetition of his name began sounding in every quarter.

Sometime in October, the Reverend Doctor Cressy of Stapleton, Staten Island, got a letter from his son, Edward, two thousand miles away at Fort Craig. Edward described Lynde as surrendering in the "most disgraceful and cowardly manner." The young man added that he was "perfectly disgusted with the whole affair," and called Lynde "that infernal coward."<sup>49</sup>

Bitterness threw out tentacles like a poisonous vine. The New York *Herald Tribune* for September 7th picked up an August 11th report from Santa Fe, which in turned picked up a dispatch just arrived from El Paso, signed "A. Deckarle." He says that if the surrender story he has heard is true, it is "the most shameful thing ever done by an officer of the United States army."

On September 21st, the *Herald Tribune* quoted another Santa Fe report, this one dated August 18th. "Major Lynde, I understand, was here yesterday. Why he has not been arrested and court-martialled on account of the shameful surrender of Fort Fillmore, I cannot understand. . . ." Then the New York paper reprints items from the Santa Fe *Gazette* of August 17th. One of these raises a lonely voice in Lynde's behalf: "It appears . . . that the conduct of Major Lynde was not so bad in this affair as it was at first represented. . . ." The *Gazette* blames him for a lack of military skill, and failure to prepare his troops sufficiently for the retreat from Fort Fillmore—as opposed, we must assume, to treachery or cowardice previously reported.

On September 27th, Secretary of War Cameron got a mes-

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49. OR II, 3, pp. 33-34. Although he had been in a few Indian battles, the Mesilla skirmish was Edward F. Cressy's first taste of white man's war. He was graduated from West Point in 1853, nineteenth in his class of twenty-seven. He was made a 1st Lieutenant, Mounted Rifles, less than two months before the surrender. Paroled until late summer of 1862, he was exchanged and reentered the war as a captain in the 3rd Cavalry, and was brevetted at the close of the war to major's and lieutenant-colonel's rank. He served again in New Mexico, at Fort Bayard after 1866, and was honorably mustered out in 1871. He died in 1899.

sage from Fort Fauntleroy, New Mexico, containing these words: ". . . disgraceful surrender of old Lynde, superannuated and unfit for service, of a U. S. force of 750 men to 350 Arizona cut-throats. . . ." <sup>50</sup>

On November 7th, the *New York Times* said that Captain Gibbs and Lieutenants McNally and Cressy had reached St. Louis with ". . . one hundred and three of the Seventh Regiment . . . whom Major Lynd [sic] so ingloriously surrendered." The day this story appeared in New York, Gibbs filed a request in St. Louis for a court of inquiry into the surrender, in the name of all the officers of his own command, and particularly concerning his part in the proceedings. <sup>51</sup>

Two days later, Lynde's name again appeared in the *New York Times*: ". . . surrendered his command so ingloriously . . . arrived at Hannibal under arrest. He was not ironed, as he deserved to have been." <sup>52</sup> What had begun as a snowflake in the storm of war had become a snowball, rolled by busy hands to a mountain top and about to flatten the Major.

The House of Representatives, on December 4th, adopted a resolution to request a report from the Secretary of War on what measures had been taken ". . . to expose and punish such of the officers now on parole as were guilty of treason or cowardice in that surrender, and relieve from suspicion such as were free from blame." <sup>53</sup>

In his answer, dated December 12th, the Secretary enclosed a report from the Adjutant General which said that Lynde had been dropped from the Army rolls on November 25th, and that no other officer was believed at fault. <sup>54</sup>

In the closing days of 1861, the *New York Times* was still pointing to the forts "disgracefully surrendered," <sup>55</sup> and specifically to Fort Fillmore, as ". . . that post . . . traitorously surrendered by Col. Lynde. . . ." <sup>56</sup> Promoted by a newspaper, but stripped of his honor, career and future security by his government, Lynde must have looked toward the

50. *Wm. Need to Cameron*, September 27, 1861. OR I, 50, Vol. 1, p. 639.

51. *Gibbs to Ass't. Adj. Gen.*, November 7, 1861. OR I, 4, p. 9.

52. *N. Y. Times*, November 9, 1861, p. 4.

53. OR I, 4, p. 15.

54. *Ibid.*

55. *N.Y. Times*, December 26, 1861, p. 3.

56. *Op. Cit.*, December 28, 1861, p. 1, col. 1.

new year with deep despair. His judges had forgotten him in the press of war, but his accusers had not. Their anger would dog him through the early months of 1862.

Lynde's eastward progress had taken him, under arrest, to Jefferson Barracks, Missouri, by early December. On the 5th, he had written to the Hon. H. M. Rice in Washington, asking for help toward a fair trial "by my *peers*," and denying intention or action of treason toward his government. Lynde also denied having surrendered his command to an inferior force. "I have not served . . . the United States for over thirty four years and most of that time on the extremest frontier, to turn traitor at this late day. . . ." <sup>57</sup>

By December 24th, Lynde had gotten to Washington. On that day, writing with what appears to be either a sick or senile hand, he petitioned President Lincoln<sup>58</sup> for restoration to rank to enable him to be tried by a court of inquiry or court-martial,<sup>59</sup> ". . . confident of my ability to prove to any unprejudiced tribunal that I had authority to abandon that post. . . ." Lincoln transmitted Lynde's seven-page statement, apparently enclosed with the petition, to the Judge Advocate General, with a note requesting a review of the case. The statement is not significantly different from Lynde's official dispatches to Canby in its history of the New Mexico events surrounding him, except in one new detail. Lynde now was saying that when the Texans appeared in Mesilla, he heard that they intended to pursue a commissary train he had sent to Fort Craig several days before.<sup>60</sup> He thereupon decided to "make a demonstration in the direction of Mesilla," to prevent the pursuit of the train and to try the strength of the Texans. His ". . . calculations all proved true for I was afterwards informed that when I approached the town they were just starting a part of their command to pursue the train and their plan was, if they were driven from the town to make a dash upon the fort, which they might have done

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57. *Lynde to H. M. Rice*, December 5, 1861. Consolidated file 107-1861, RG 153, Office of the Advocate General (National Archives).

58. *Lynde to the President* (File 107-1861).

59. According to Lynde's "Appointments, Commissions and Personal File" (L736-ACP-1866), National Archives, these were never granted.

60. See note 41.

as they were all mounted and I had but about 50 mounted men. As it was the train escaped. . . ."<sup>61</sup>

This puts a light on the whole Mesilla action that conceivably might have saved Lynde much anguish if he had advanced it earlier. His reevaluation of the Texan strength in this statement is probably less admissible, in view of his former official reports. He now thinks Baylor had about five hundred and fifty men to his own five hundred, and that they would have increased to eight hundred and fifty with reinforcements from El Paso. He says that Gibbs reported eight companies of mounted rebels to him at the Springs. A note by someone unidentified, at the end of Lynde's statement, says that Texan regiments were known to have one hundred men each.

Lynde's petition is mentioned in an opinion delivered in January, 1862, by the Judge Advocate, J. F. Lee. He says Lynde has alleged he had authority to abandon Fort Fillmore, that the circumstances justified it, that he did not surrender to an inferior force, and that he protests his loyalty. In Lee's view, the charges—including surrendering "disgracefully and shamefully," and "misbehavior before the enemy" because of retreating after demanding an unconditional surrender—are punishable with death; but he notes that the more lenient course of discharging Lynde has been taken. The Judge Advocate says his department is satisfied as to the facts and previous judgment, adding that Lynde may be restored by the President with the Senate's approval. He does not think the previous judgment is likely to be reversed.<sup>62</sup>

Meanwhile, Lynde's surrender had put an irksome, even though temporary, curb on the careers of several young officers of his former command. Captain Alfred Gibbs, frettingly belligerent in the only manner possible because of his parole, poured his energies onto official paper to get himself back into the war. Shortly he would be exchanged and go off to Virginia, where the little depots with the great, bloody names would join the Mexican battles among his citations. He would move up rapidly, as he always had, to become a Brevet Major Gen-

61. *Lynde to the President*, op. cit.

62. OR II, 3, pp. 189-190.

eral by the time of Appomattox, go west again to frontier duty and die, still young, still fuming perhaps, in Kansas in 1868.<sup>63</sup> But now in February and March of 1862 he was pulling at every string to save himself, as he saw it, from unmerited disgrace.

Taking his case directly to the Secretary of War, he enclosed in his letter a list of his command, ". . . ignominiously surrendered by Maj. Isaac Lynde." He asked that he and his men be released from ". . . the ignominious position in which we have been placed by the cowardice of our commanding officer. . . ."<sup>64</sup> While Gibbs can hardly be blamed for continuing to stir this troublesome brew of anguish and accusation, his repetition of certain phrases seems to hammer them out in letters of iron. They leave their impress on the reports and letters of other people prodded by Gibbs. Even the newspapers pick them up. *Ignominious surrender*, for example, figures so frequently that coincidence begins to seem unlikely. It could be questioned whether Gibbs was reading the newspapers or the newspapers were reading Gibbs.

He sent a list of his paroled command to the Department of Missouri, and referred inevitably to the ". . . ignominious surrender of Maj. Isaac Lynde."<sup>65</sup> He applied to a congressman to aid him toward exchange,<sup>66</sup> again mentioning the ignominious surrender, and this note was sent along to Stanton with the comment: ". . . seems they were treacherously surrendered by Maj. Isaac Lynde. . . ."<sup>67</sup> A second enclosure was a letter from a man in Detroit, where Gibbs was stationed on parole. The letter calls Gibbs' command ". . . a portion of the force so shamefully surrendered by Colonel Lynde."<sup>68</sup> Friends who knew nothing of the surrender except what Gibbs had told them, obligingly contributed to the destruction of Lynde's name.

On November 27th, 1866, five years from the day he was dropped from the Army, Lynde was restored to his former rank by order of President Johnson, and retired.

63. Cullum, *Register*, p. 168.

64. *Gibbs to Stanton*, February 22, 1862. OR II, 3, pp. 298-99.

65. *Gibbs to N. H. McLean*, March 4, 1862. OR II, 3, pp. 346-7.

66. *Gibbs to Howard*, March 4, 1862. OR II, 3, p. 369.

67. *Howard to Stanton*, March 11, 1862. OR II, 3, p. 368.

68. *Wm. Gray to Howard*, March 5, 1862. OR II, 3, p. 369.



Lynde's old commander, Canby, had much to do with this. Apparently in answer to a request from the Adjutant General's Office, he listed what he thought were the extenuating circumstances of Lynde's surrender at San Augustine Springs, first giving his opinion that Lynde's force had been "sufficiently ample," and that Lynde should not have abandoned Fort Fillmore until the troops from Arizona had gotten safely out.

While he does not excuse Lynde, Canby points out certain factors that he feels had influence on Lynde's failure. First was the dissatisfaction among the troops. They had not been paid in ten months, ". . . in consequence of the desertion and defalcation of a paymaster." Canby next tells of the disloyalty around Lynde, and the effect of secessionist pressure on the soldiery. Deserting officers tried to demoralize the troops. A rebel judge in El Paso let his opinion be known that since the Union had been dissolved, no officers or men were bound to it by a former oath of allegiance. Then Canby goes on to emphasize the blow to the department caused by the discovery that Colonel W. W. Loring, its highest ranking officer from whom Canby took over the Department of New Mexico, had been in correspondence with the Confederates before his resignation.

Canby adds that two of Lynde's officers and several men deserted just before the engagement with the enemy at Mesilla. The effect upon Lynde's mind was still further increased, says Canby, by Lynde's suspicion that his own men had fired upon him.

. . . From that moment he appears to have lost all confidence in his officers and men:— to have suspected treachery of which he was to be the first victim . . . experienced a mental paralysis that rendered him incapable of judgment or energy . . .<sup>69</sup>

Two months before this report from Canby, the Judge Advocate General had delivered another opinion—this time to the Secretary of War. He cited testimony from Captain Crilly

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69. *Canby to Adj. Gen.*, Lynde's file (L736-ACP-1866), National Archives. It should here be recalled that 26 of his command later deserted to the enemy. (See note 47.)

and Surgeon Norris, Purveyor General of the New Mexico department. Crilly had said of Lynde's action that it ". . . should be attributed not to the disloyalty of Major Lynde but to his incapacity for the management of his command in such an emergency, he having become superannuated in service."<sup>70</sup> Norris felt that the ". . . loss of the command was caused by [a lack of?] foresight and precaution . . .," and that Lynde's loyalty was not questioned.

From this and Canby's testimony, the Judge Advocate General arrived at these conclusions:

. . . *first* . . . the abandonment . . . warranted by a fair construction of Col. Canby's orders, in a certain conjuncture which Major Lynde was justified in the circumstances in believing to have arrived . . . perhaps he fell into an error of judgment, cannot be properly held guilty of dereliction of duty:—*second* . . . precautions taken . . . for defense were not such as the situation called for, nor such as a reasonably prudent, vigilant [sic] and competent officer should have exercised.—*third* . . . undue precipitancy of the movement tended to demoralize the troops:—*fourth* . . . his mismanagement of the retreat . . . was unsoldierly and culpable:—and *fifth* . . . surrender to a probably inferior force, without firing a shot, though perhaps it finally became inevitable, was, nevertheless without excuse, and fully deserving of the rebuke with which it was visited."<sup>71</sup>

Eight months later, in September, 1866, someone persuaded the nation's foremost military hero to look into the whole matter. The name of that someone does not appear anywhere in the official files, but it should not be difficult to guess. It is still a matter of local knowledge in Lynde's home village of Williamstown that his daughter, "Lou," sometimes visited there, and that she was Mrs. Frederick Tracy Dent. According to Cullum's *Register*, her husband and Ulysses Grant were classmates at West Point. Somewhere out on the frontier, where Dent several times served on the same posts as Lynde, the young officer met and married the older officer's daughter. Dent's sister married, also. Her name was Julia,

70. See note 50. Crilly's "superannuated in service" is very close to "superannuated and unfit for service" of Need's letter to Cameron from Fort Fauntleroy. Although I have found no record of Crilly visiting Fort Fauntleroy after the surrender, he may possibly have done so and talked with Need there.

71. J. Holt, *Judge Advocate Gen'l to Sec'y of War*. Lynde's file (*op. cit.*).

and she later became Mrs. U. S. Grant. Another binding circumstance in this small net of relationships was Dent's double identity as Isaac Lynde's son-in-law on the one hand, and Grant's aide-de-camp on the other. The *Dictionary of American Biography* says of him, in part: ". . . Dent was not a brilliant soldier, and owed much to his relationship to General Grant. . . ." Probably the same might be said of Major Isaac Lynde.

In any case, Grant found that Lynde had been "summarily dismissed . . . without trial or investigation of his conduct." Grant recommended to Stanton that Lynde be appointed Colonel of Infantry and retired immediately on appropriate pay.<sup>72</sup>

A memorandum from the Adjutant General's Office replied that Lynde could not, under the system then in force, be raised to Colonel, but that he could be restored to his Major's rank, with his pay retroactive. In obscure support of this view, it was pointed out that Lynde would have been a Colonel in 1864, had he stayed in the service, but that he had passed the age of sixty-two, the retirement age, only a month before Grant's recommendation.<sup>73</sup>

The wheels of the Army began to turn, and after a suitable number of revolutions and two more long weeks for Lynde, on November 27th the War Department's General Order No. 94 came out of the huge machine. It announced that by President Johnson's direction the order dismissing Lynde back in 1861 had been revoked. His Major's rank was restored, and he was retired as of July 28, 1866.<sup>74</sup>

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Major Isaac Lynde lived for another twenty years. His listing in Cullum closes with the curious fact that he served on court-martial duty on March 7, 1867—but this could have nothing to do with his own trouble, since by that time, of course, he was safely reinstated. Very little else is known about him. The old soldier who had shown so much promise as a boy in the Vermont hills, who must have felt that promise

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72. *Grant to Stanton*, September 18, 1866, Lynde's file, *op. cit.*

73. *J. C. Kelton memorandum*, Lynde's file, *op. cit.*

74. Lynde's file, *op. cit.*

wearing away in his middle years on the western plains and the southwestern deserts, went neither east nor west nor southwest in his remaining days. Instead, he returned to scenes reminiscent of his first duty, as a young lieutenant, in the Old Northwest. He lived for a time in St. Paul, Minnesota.<sup>75</sup> Later, he moved to Florida, but when he left the one for the other is not clear.

On April 4, 1886, a telegram from St. Augustine, Florida, signed by an N. R. Fitzhugh, informed Mrs. T. F. Dent of Washington, D. C., that Major Lynde had died the preceding night, and that his body would be sent to Baltimore.<sup>76</sup> A few weeks later, Captain F. Marcy Lynde, retired, reported to the Adjutant General the cause of his father's death.<sup>77</sup> He termed it a "general breaking down of the system from advanced age." Army records show that the Major would have been 82 in that year. According to his West Point file, he would have been 80.

It is curious that Lynde died at Picolata, twenty miles from St. Augustine, roughly the same distance as from Fort Fillmore to St. Augustine Springs, New Mexico, over the route of his old retreat. In a way, it could be said that his body, shipped through St. Augustine on its way to Baltimore, retraced the pattern of his tragic last hours with his command.

Just three months before Major Lynde's death, James Cooper McKee—the doctor, the tactician, the champion of righteousness—republished his petition to the Army,<sup>78</sup> challenging the legality of President Johnson's order restoring Lynde, and demanding that the old Major's name be once more stricken from the rolls.

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75. There he dated and filled out a form, sent to him by the Army in 1872, stating that he had "never served in any Volunteer Organization in any capacity." *Op. cit.*

76. *Ibid.*

77. *Ibid.*

78. *Narrative*, p. 27.

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## FORT UNION AND THE SANTA FE TRAIL

By ROBERT M. UTLEY\*

FOR over half a century a wide band of wagon ruts joined New Mexico, first as a Mexican province, later as American territory, to the Missouri frontier and the States. Between the American conquest in 1846 and the coming of the railroad in the decade of the seventies, the Santa Fe Trail was a momentous avenue of commerce, transportation, and communication.

In Kansas the Trail divided, to enter New Mexico by two routes. The Cimarron Cutoff, shortest but most dangerous fork, turned southwest from the Arkansas River and followed the dry course of the Cimarron River into the Oklahoma panhandle, reaching New Mexico near present Clayton. The Mountain Branch, 100 miles longer and with the treacherous barrier of Raton Pass, kept to the north bank of the Arkansas, turned southwest along the base of the Rockies, and dropped into New Mexico at Raton Pass. The two branches united at the junction of Mora River and Sapello Creek, near modern Watrous. Six miles north of this strategic road junction the United States Army in 1851 built Fort Union, destined to play a direct, active, and vital role in the subsequent drama of the Santa Fe Trail.

Indeed, Fort Union owed its birth to the Santa Fe Trail. It was not, as usually assumed, conceived as the "guardian of the trail," although this turned out to be a major role. Its principal function was to serve as a depot for military supplies shipped over the Santa Fe Trail to the United States Army in New Mexico.<sup>1</sup> The Mexican War had revolutionized the Santa Fe trade. Before 1846 the Trail had been an inter-

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\* National Park Service, Region Three, Santa Fe, New Mexico.

1. There were, of course, other reasons. Colonel Sumner had been advised by Secretary of War Conrad to move the troops out of the New Mexican towns and advance them closer to the Indian country. Fort Union was thus an outpost against the Utes and Jicarilla Apaches. At the same time, Maj. Thomas Swords, examining the New Mexican defense system for the Secretary, reported that the towns, besides being expensive and inconvenient sites for military posts, had a corrupting influence on the soldiers. Conrad to Sumner, April 1, 1851, in Annie H. Abel (ed.), *The Official Correspondence of James S. Calhoun* (Washington, 1915), 383-84; A. V. Bender, "Frontier Defense in the Territory of New Mexico, 1846-1853," *NEW MEXICO HISTORICAL REVIEW*, IX, 3 (July, 1934), 264-65.

national highway linking two alien communities. But "Kearny's baggage train," as Paxson wrote, "started a new era in plains freighting. . . . It became a matter of business, running smoothly along familiar channels."<sup>2</sup> Gregg's "commerce of the prairies," conducted largely by private speculators, all but disappeared, and freighters specializing in hauling someone else's goods took over the Santa Fe Trail. A major portion of these goods was destined for the frontier posts in the Territory of New Mexico.

The Southwest proved an expensive acquisition to the United States, for the population had been promised protection from marauding Indians. In 1849 almost 1,000 soldiers, one-seventh of the United States Army, served in New Mexico's Ninth Military Department. By 1859 the number had risen to 2,000, distributed among 16 scattered frontier outposts. The land was not rich enough to subsist this army, and almost all provisions had to be hauled over the Santa Fe Trail from Fort Leavenworth.

The need for a depot on the eastern frontier of New Mexico to receive and distribute these goods to other posts early became apparent. In the spring of 1851 the Department Commander, Maj. and Bvt. Col. John Munroe, sent his Quartermaster, Capt. L. C. Easton, and Lt. John G. Parke of the Topographical Engineers to "examine the country in the vicinity of Las Vegas and on the Moro [sic] Creek with a view of selecting a site for the establishment of a depot for supplies coming from the U. S."<sup>3</sup> By late April the reconnaissance had been completed and a report turned in (it has not been found),<sup>4</sup> but Munroe was almost immediately replaced by Lt. Col. and Bvt. Col. Edwin V. Sumner. Nevertheless, in July 1851 Sumner established a supply depot such as envisioned by his predecessor and located it in the area reconnoitered by Parke and Easton. He also moved Department Headquarters

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2. Frederick L. Paxson, *The Last American Frontier* (New York, 1910), 67.

3. Lt. and Acting Assistant Adjutant General (hereafter AAAG) Lafayette McLaws to Lt. John G. Parke, March 12, 1851; Special Order (hereafter SO) No. 14, Hq. Ninth Mil. Dept., Santa Fe, March 14, 1851; National Archives, typescript in Arrott Collection, Highlands Univ., Las Vegas, N. M. Hereafter all citations of material from the National Archives in the Arrott Collection will be designated NA, AC.

4. Munroe to Adj. Gen. (hereafter AG) Roger Jones, April 30, 1851, NA, AC, transmitted the report to Washington.

from Santa Fe to the new depot, which was named Fort Union.<sup>5</sup>

Military freight hauled from Fort Leavenworth was unloaded at the Fort Union depot, repacked, and assigned as needed to the posts of New Mexico and Arizona. Often, when wagons or entire trains contained shipments for one fort only, they continued directly to the destination without unloading at Fort Union. Other Quartermaster depots were established, at Yuma and San Antonio, but Fort Union continued throughout its lifetime to be the supply center of the frontier army in the Southwest.

Virtually all military freighting on the Santa Fe Trail was performed under contract by civilian companies. Waste and inefficiency had characterized the logistical support, managed by the Quartermaster Department, of Kearny's Army of the West, and in 1848 the Government turned to the contract system. For \$11.75 per hundred, James Browne of Independence in that year agreed to transport 200,000 pounds of supplies to New Mexico. The next year, in partnership with William H. Russell, he contracted to haul all government stores over the Santa Fe Trail for \$9.88 per hundred. Joseph Clymer and David Waldo entered the field in 1850, and that year 278 wagons of military freight passed over the Trail to New Mexico. Some continued to the new post at El Paso. Browne, Russell, and Company were the largest contractors, accounting for 135 of the 278 wagons.<sup>6</sup>

In 1853 another new freighter made his appearance, his name destined to be linked to that of William H. Russell. Alexander Majors made two round trips to New Mexico, one with a consignment of goods from Independence to Santa Fe, the other under government contract from Fort Leavenworth to Fort Union. In 1854, again under contract, he sent 100 wagons in four trains from Leavenworth to Union. The following year he went into partnership with William H. Rus-

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5. Sumner to Jones, Oct. 24, 1851, in Abel (ed.), *Official Correspondence of James S. Calhoun*, 416-18. Throughout the 1850's and 1860's Department Headquarters was located variously at Fort Union, Santa Fe, Albuquerque, and elsewhere depending on the scene of most active operations.

6. Walker D. Wyman, "The Military Phase of Santa Fe Freighting, 1846-1865," *Kansas Historical Quarterly*, I, 5 (November, 1932), 415-28.



sell. In 1856 Majors and Russell had 350 wagons on the Trail, and the next year contracted to deliver five million pounds of freight. In 1858, a third partner having joined the firm, Russell, Majors, and Waddell contracted to deliver all freight turned over to them by the Government, and by 1860 and 1861 were the principal contractors freighting between Fort Leavenworth and Fort Union.<sup>7</sup>

Large-scale military freighting, dominated by Russell, Majors, and Waddell, continued until 1866, when the railroad moved west into Kansas. Each railroad town thereafter served briefly as the port of embarkation for freight wagons. After the rails reached Denver in 1870, wagons continued to move supplies over the Mountain Branch of the Trail between Pueblo and Fort Union. The Santa Fe Railroad crossed the Mora Valley in 1879 and ended the era of military freighting on the Santa Fe Trail.

Fort Union consisted not only of a Quartermaster depot to handle incoming supplies, but also of a military post. The post garrison performed duties similar to those of other garrisons in the West. One important function of the frontier army was to blaze new wagon roads and improve old ones. Officers and men of Fort Union expended such labor principally on the Santa Fe Trail.

Shortly after Colonel Sumner established Fort Union, his Quartermaster, Capt. E. S. Sibley, laid out a road that linked Fort Union with the main route of the Santa Fe Trail between the Mora Crossings and Las Vegas. Although it saved several miles, this route seems to have enjoyed only briefly the favor of freighters and other travellers.<sup>8</sup>

At the same time, Sumner sent Lt. John Pope of the Topographical Engineers to seek "a new road by the shortest practicable route between this point and Fort Leavenworth." Lying between the Cimarron Cutoff and the Mountain Branch, Pope's road intersected the Arkansas River at Big

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7. *Ibid.*; Alexander Majors, *Seventy Years on the Frontier* (Denver, 1893), 140-43; Edward Steere, *Fort Union: Its Economic and Military History* (Ms. Report, National Park Service, Santa Fe, c. 1939), 55-57.

8. Report of Col. J. K. F. Mansfield . . . Regarding his Inspection of the Department of New Mexico During . . . 1853 (Ms., National Archives, typescript in Library, Museum of New Mexico, Santa Fe).

Timbers, near the site of Bent's Fort, in modern Colorado.<sup>9</sup> An extension of this road, probably also pioneered by Pope, connected Fort Union with the Cimarron Branch at the crossing of the Canadian River by a route lying north of the Turkey Mountains, thus gaining several miles to travellers arriving on the Cimarron Branch.<sup>10</sup>

Pope's road was a compromise between the Mountain and Cimarron Branches. It was shorter than the Mountain Branch and, by skirting the eastern slope of the Raton Mountains, avoided the winter snows of Raton Pass. During the Civil War it had another advantage: it was far enough from Texas to be free of the Confederate threat to the Cimarron Branch, a threat that existed less in reality than in the minds of Union officers.

The advantages of this road, with a slight variation at its northern end to connect with Fort Wise (later Fort Lyon), were not lost upon officers at Fort Union and Santa Fe. Supply trains for Union forces in New Mexico might use this road the year around without fear of Texan guerrillas. From Fort Union to the head of the Cimarron the road had already been surveyed, and required only minor banking and grading at stream crossings. From Fort Wise south but little work was needed, principally on the eastern slopes of the Raton Mountains. During the winter of 1861 and summer of 1862, therefore, details from Forts Union and Wise worked towards each other on this road, meeting on the upper Cimarron.<sup>11</sup> What share of Civil War freight the road carried thereafter is not apparent. It is clear, however, that the Mountain and Cimarron Branches also continued to be used by freighters.

In addition to processing military freight and seeking new and better routes, troops from Fort Union performed another

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9. SO No. 58, Fort Union, Aug. 6, 1851, NA, AC; Sumner to AG Roger Jones, Oct. 24, 1851, in Abel (ed.), *Official Correspondence of James S. Calhoun*, 416-18.

10. Mansfield Report (1853). Colonel Mansfield gives credit for this to Capt. James H. Carleton, whom he probably confused with Lieutenant Pope. Carleton and his company were patrolling the Cimarron Route at the same time Pope was reconnoitering the new road. The mistake, therefore, is understandable.

11. Capt. & AQM J. C. McFerran to Maj. & QM J. L. Donaldson, Nov. 11, 1861; Lt. & AAAG W. J. L. Nicodemus to Capt. Elmer Otis, 4th Cav., Nov. 15, 1861; Nicodemus to Commanding Officer (hereafter CO) Fort Union, Nov. 15, 1861; SO No. 125, Hq., Dept. of N. M., July 16, 1862; SO No. 144, Hq., Dept. of N. M., Aug. 15, 1862, NA, AC.

important duty connected with the Santa Fe Trail. Military protection of the Trail is a chapter in its history that remains to be adequately explored. Historians have dealt with early attempts to provide escorts from Missouri to the Arkansas, but the part played by the garrison of Fort Union has never been fully told. Although less dramatic, it spanned 15 years and proved far more effective.

No sooner had Fort Union been established than Colonel Sumner, in August 1851, issued orders for Capt. James H. Carleton to patrol the Cimarron Branch of the Trail between Fort Union and the Arkansas. With his Company K, First Dragoons, Carleton remained in the field until November 4. So successful was he in preventing depredations on freight trains by the Kiowas, Comanches, and Jicarilla Apaches that he drew the same assignment the next year. During the summer of 1852 Company K twice marched to Fort Atkinson, at the crossing of the Arkansas, and returned to Fort Union.<sup>12</sup>

After 1852 there is no record of further patrolling such as Carleton had performed for the remainder of the decade. Rather, protection took the form of military escorts of the Independence-Santa Fe Mail.<sup>13</sup> During the 1850's the Kiowas and Comanches were in general friendly, or at least not actively hostile, and the war against the Jicarillas kept the tribe busy in the mountains around Taos and Abiquiú. Nevertheless, escorts were furnished whenever officials of the stage company or Post Office Department feared that danger existed. Late in 1857, as the result of a directive from the Secretary of War, the Commanding Officer at Fort Union began providing regular escorts for the mail.

The escort usually consisted of an officer and 20 to 40 men, later of a sergeant and 15 to 20 men, who accompanied the

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12. Sumner to Carleton, Aug. 1, 1851; SO No. 23, Hq., Ninth Mil. Dept., near Albuquerque, March 28, 1852; SO No. 31, Hq., Ninth Mil. Dept., near Albuquerque, May 3, 1852; Annual Returns, First Dragoons, 1851 and 1852, NA, AC. Sumner to AG Roger Jones, Oct. 24, 1851, in Abel (ed.), *Official Correspondence of James S. Calhoun*, 416-18.

13. Monthly stage service was inaugurated between Independence and Santa Fe in July 1850, with a contract let to carry the U. S. Mail. Throughout the 1850's service was erratic, and as late as 1860 the commander of the Department of New Mexico complained of the "great irregularity of the Mails." Col. T. T. Fauntleroy to Postmaster General, Dec. 16, 1860, NA, AC; LeRoy R. Hafen, *The Overland Mail, 1849-1869* (Glendale, 1926), 70-73, briefly sketches the details of the Santa Fe Mail.

stages to the Arkansas and returned to Fort Union with the next west-bound mail. The soldiers, infantry or dismounted horsemen, rode in wagons. This method had been adopted by Col. John Garland, Department Commander, because it afforded better defense in the event of attack and because of the scarcity of grass, especially in winter, along the road between the Canadian and the Arkansas. Even so, the mules drawing the escort wagons frequently broke down and always had trouble keeping up with the mail coaches. The stage company had relay stations with fresh animals on the Mora and the Arkansas, but the army mules travelled over 600 miles, from Fort Union to the Arkansas and back, without relief. So troublesome did this problem become that Colonel Garland in March 1858 requested the Adjutant General of the Army to have instructions issued to the mail company to keep pace with the slower moving escort.<sup>14</sup>

The necessity of furnishing escorts kept the Fort Union garrison constantly below strength, and proved a serious handicap to the post commander. Nevertheless, Colonel Garland could report early in 1858 "that no mail has been lost since my administration of this Military Department—four years and a half—and that I have never failed to furnish escorts whenever in my judgment they were deemed necessary."<sup>15</sup>

Probably as a result of these difficulties, and the apparent friendliness of the Indians on the Cimarron Route, Garland in May 1858 discontinued the escorts. In October 1859, however, the mail from Independence failed to arrive in Santa Fe on schedule. Citizens and postal officials became so alarmed that Col. B. L. E. Bonneville, Garland's successor, was induced to order two officers and 75 men, virtually the entire garrison of Fort Union, to escort the next eastbound stage to the Arkansas. At Cottonwood Spring the mail and escort, under Capt. R. M. Morris of the Regiment of Mounted Rifles,

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14. Lt. & AAAG W. A. Nichols to Lt. Col. Philip St. George Cooke, March 12, 1854; Unsgd. (Fort Union) to Nichols, March 8, 1856; Nichols to Col. W. W. Loring, Jan. 29, 1857; Col. B. L. E. Bonneville to AAG Lorenzo Thomas, Feb. 28, 1857; Loring to Nichols, Jan. 25, 1858; Garland to AG Samuel Cooper, Jan. 30 & March 14, 1858; Loring to Capt. & AQM L. C. Easton, March 9, 1858, NA, AC.

15. Garland to AG Samuel Cooper, Jan. 30, 1858, NA, AC.

met the west-bound mail. It was accompanied by Col. Thomas T. Fauntleroy and escort enroute to Santa Fe to replace Colonel Bonneville. Fauntleroy issued orders on the spot assuming command of the Department of New Mexico (name for the Ninth Military Department since 1853) and relieving Captain Morris and half of his command of further escort duty. At the same time he called upon the Adjutant General for "particular instruction at the earliest moment" on the subject of furnishing regular escorts for the mail.<sup>15a</sup>

No sooner had Fauntleroy reached Santa Fe, however, than he authorized continued escorts. It was a fortunate move, for on December 4, at Cold Spring in the Oklahoma panhandle, 20 Kiowa warriors attacked the mail wagon and its escort, slightly wounding one soldier. The Indians were repulsed, but kept the troops pinned down with long-range rifle fire for several hours.<sup>16</sup>

Thereafter raiding Kiowas and Comanches became increasingly active, and throughout the Civil War years travel on the Cimarron Branch was a dangerous undertaking. Fauntleroy reinforced Fort Union, and escorts regularly accompanied the mail. A new system was devised. Troops from Fort Union escorted the east-bound mail about half way to the Arkansas. There they met the west-bound mail under escort by troops from Kansas. Each detachment then accompanied the mail back to its home base.<sup>17</sup>

Later in 1860 Fauntleroy authorized the Commanding Officer at Fort Union, Lt. Col. George B. Crittenden, to seize any opportunity offered to strike a blow at the Kiowas and Comanches. In December Crittenden learned that a war party was harassing traffic on the Mountain Branch about 70 miles north of Fort Union. With 88 men of Companies D, H, K, and

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15a. Lt. & AAAG J. D. Wilkins to Capt. R. M. Morris, Oct. 15, 17, and 18, 1859; Wilkins to D. V. Whiting, Postmaster at Santa Fe, Oct. 16 and 17, 1859; Wilkins to Lt. A. Jackson, Oct. 17, 1859; Bonneville to AAG Lorenzo Thomas, Oct. 17, 1859; Bonneville to Gov. Abraham Rencher, Oct. 18, 1859; Fauntleroy to AG Samuel Cooper, Oct. 25, 1859; Fauntleroy to Morris, Oct. 25, 1859; Fauntleroy to Thomas, Nov. 6, 1859, NA, AC.

16. Lt. & AAAG J. D. Wilkins to Maj. J. S. Simonson, Nov. 14, 1859; SO No. 70, Fort Union, Nov. 16, 1859; Simonson to Wilkins, Dec. 9, 1859; Fauntleroy to AAG Lorenzo Thomas, Dec. 12, 1859, NA, AC.

17. Wilkins to Lt. D. Bell, Pawnee Fork, K. T., Jan. 3, 1860; Wilkins to Simonson, Jan. 10, 1860; *ibid.*, Jan. (?), 1860; Jan. 28, 1860, NA, AC.

E, Regiment of Mounted Rifles, he marched up the Trail. The Indians, however, had moved east and were preparing to attack traffic on the Cimarron Branch. The Mounted Riflemen followed their trail night and day and, on January 2, 1861, surprised a village of 175 Kiowa and Comanche lodges on the Cimarron River 10 miles north of Cold Spring. The Indians were driven from their camp with a loss of 10 killed and an unknown number wounded. Crittenden had three men wounded. The troops destroyed the village and its contents and returned to Fort Union with 40 captured horses.<sup>18</sup>

It is noteworthy that, throughout the decade of the 1850's, there is no record of military detachments assigned to escort freight caravans. Except for Carleton's operations in 1851 and 1852, which were designed to safeguard all traffic simply by the presence of troops on the Trail, all escorts were of the Independence-Santa Fe Mail. To the extent that these escorts advertised to the Indians the proximity of soldiers, they indirectly protected freight trains. The freighters, however, understood the conditions of the trail and organized for their own protection. They consequently felt no need of military protection and made no demand for such service.<sup>19</sup> The picture changes in the 1860's. The mounting Indian menace, the fear of Confederate attacks on freight caravans, and the vital need of assuring a continuous flow of provisions to Union forces in New Mexico led to escorts of freight trains on the Santa Fe Trail.

In June 1861 Col. Edward R. S. Canby, who had just assumed command in New Mexico, promptly took two steps to protect the Santa Fe Trail. Fearful of a Confederate move against his lines of supply and communication, he instructed Maj. William Chapman at Fort Union to organize parties of Mexican or Indian spies to watch the Cimarron Branch and the road from Fort Smith via the Canadian River to Anton Chico and Santa Fe. Masquerading as hunters or traders, they were to operate well south of the roads and give timely

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18. SO No. 103, Fort Union, Dec. 26, 1860; Crittenden to AAAG at Santa Fe, Jan. 11, 1861; Fauntleroy to AAG Lorenzo Thomas, Jan. 12, 1861, NA, AC.

19. Cf. Steere, *Economic and Military History*, 34-35.

warning of Confederate movements. By June 25 Chapman had employed nine New Mexicans for this duty.<sup>20</sup>

At the same time Canby ordered Capt. Thomas Duncan at Fort Union to lead 100 Mounted Riflemen and two companies of recently organized New Mexico Volunteers to the crossing of the Arkansas to escort freight trains to Fort Union. In August he sent a squadron of Mounted Rifles to Fort Wise, on the Arkansas near the site of Bent's Fort, to strengthen that post and help protect trains using the Mountain Branch. In the same month Lt. Col. Christopher "Kit" Carson marched four companies of New Mexico Volunteers to the Arkansas to bring in trains using the Cimarron Route.<sup>21</sup>

Patrols and escorts carried out similar missions throughout the winter of 1861 and summer of 1862. In August 1862 a system of patrols was inaugurated on the Mountain Branch, troops from Fort Union covering the Trail to Raton Pass, troops from Fort Lyon (formerly Wise) from the pass to that fort. A force of the First Colorado Volunteers was ordered to establish a temporary camp on the Mountain Route midway between Forts Wise and Union and give protection to freight trains and mail coaches.<sup>22</sup>

That troops were assigned to such duty during 1861 and 1862 reflects the importance Canby attached to keeping open the Santa Fe Trail. These were the critical Civil War years in New Mexico. Texans under Lt. Col. John R. Baylor occupied southern New Mexico in the summer of 1861, and the Confederate brigade of Brig. Gen. Henry H. Sibley carried the invasion north to Albuquerque and Santa Fe during the first four months of 1862. Battles were fought at Valverde in February and Glorieta Pass in March before the Texans withdrew from the Territory. At the same time Navahos and

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20. Lt. & AAAG A. L. Anderson to Chapman, June 19, 1861, NA, AC. Notation on back lists names of New Mexican spies employed by Chapman.

21. Anderson to CO Fort Union, June 30, 1861, *War of the Rebellion: Official Records of the Union and Confederate Armies*, Ser. I, Vol. IV, 49; Canby to Chapman, Aug. 15, 1861; Chapman to Col. Ceran St. Vrain, First New Mexico Volunteers, Aug. 18, 1861; Chapman to Anderson, Aug. 22, 1861, NA, AC.

22. Lt. & AAAG W. J. L. Nicodemus to CO Fort Union, Dec. 8, 1861; Canby to Col. J. M. Chivington, June 30, 1862; Chapman to CO Fort Union, July 2, 1862; Canby to AAAG Dept. of Kansas, July 3, 1862; Capt. & AAAG Gurden Chapin to Col. J. H. Leavenworth, Aug. 7, 1862; Chapin to CO Fort Union, Aug. 9, 1862, NA, AC.

Mescalero Apaches were raiding settlements throughout New Mexico. Still, these demands did not prevent Canby from detaching troops to guard the Santa Fe Trail.

When Canby went east to other duty in September 1862, Brig. Gen. James H. Carleton, who had led the California Column to New Mexico, took command of the department and retained it until the end of the war. He appreciated the importance of the Santa Fe Trail and, from his experience in patrolling it in 1851 and 1852, was familiar with the problems involved in its protection. He believed that troops should be temporarily stationed on the most dangerous section of the Trail, and recommended to the Adjutant General in May and again in July 1863 that four companies be placed at Cold Spring and four at Cimarron Spring.<sup>23</sup>

This plan called for reinforcements and seems not to have been adopted until 1864, by which time the plains were in the throes of a disastrous Indian uprising, with Kiowas, Comanches, and Cheyennes attacking trains between the Arkansas and Fort Union. In the summer of 1864 Carleton stationed 50 cavalymen and 50 infantrymen at the crossing of the Arkansas, an equal force at Lower Cimarron Springs, and 50 cavalymen and 30 infantrymen at Upper Cimarron Springs. He also sent one company to Fort Lyon and one to Gray's Ranch, on the Purgatory River in Colorado, to police the Mountain Route. These troops, California and New Mexico Volunteers, carried rations for 60 days.<sup>24</sup>

Carleton next decided to strike at the home country of the Indians who were raiding on the Santa Fe Trail. Late in November 1864 he sent Col. Kit Carson and the First New Mexico Cavalry, fresh from victory over the Navahos, into the Texas panhandle, heart of the Kiowa-Comanche country. On November 26 the troops attacked a large camp of Kiowas on the Canadian River near the ruins of William Bent's old trading post. Joined by Comanches, the Kiowas counterat-

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23. Carleton to AG Lorenzo Thomas, May 10, 1863, July 14, 1863, in U. S. Cong., *Condition of the Indian Tribes: Report of the Joint Special Committee Appointed Under Resolution of March 3, 1865* (Washington, 1867), 109-10.

24. Carleton to Capt. E. H. Bergmann, Aug. 22, 1864; Carleton to Thomas, Aug. 27 and 29, 1864; SO No. 32, Dept. of N. M., Aug. 20, 1864; SO No. 34, Aug. 28, 1864, in *ibid.*, 191-95, 241-42.



tacked and besieged Carson in the ruins. The battle of Adobe Walls raged all day, but mountain howitzers kept the Indians at bay. At dusk the troops burned the Kiowa village and withdrew.<sup>25</sup>

Meanwhile, General Carleton made preparations for guarding the Trail during the approaching travel season. He had hoped to establish temporary camps during the summer of 1865 at Lower Cimarron Springs, Cold Spring, Rabbit Ear Creek and Whetstone Creek,<sup>26</sup> but, probably because of insufficient men, modified this plan. Instead, on February 8, 1865, he published the following notice:<sup>27</sup>

To the people::

Owing to Indian difficulties upon the roads leading from New Mexico to the States, a company of troops will leave Fort Union, New Mexico, for Fort Larned, Kansas, on the first and fifteenth of every month, until further orders, commencing on the first day of March, 1865. The first company will go by the Raton mountain route, the second by the Cimarron route, and so on, alternately. The merchants and others who wish to send trains in after goods can assemble their trains at such points near Fort Union as may be desired by them, so as to have the protection of these periodical escorts, if such be their wish. Arrangements will be made with Major General Curtis, commanding the department of Kansas, so as to send these companies back from Fort Larned at such times as may best promote the interests and safety of all who may have trains upon the road coming in this direction.

By command of General Carleton:

Ben. C. Cutler,  
Assistant Adjutant General.

Carleton provided these escorts for two months, but by May all the troops that could be spared were in the field, and he had to discontinue the service. At the same time, however, he ordered Col. Kit Carson, with two companies of the First New Mexico Cavalry and a company of California Volunteers, to leave Fort Union on May 20 and establish a canton-

25. R. N. Richardson, *The Comanche Barrier to South Plains Settlement* (Glendale, 1933), 285-87; *idem.*, "The Comanche Indians and the Fight at Adobe Walls," *Panhandle-Plains Historical Review*, IV (1931); C. Boone McClure (ed.), "The Battle of Adobe Walls, 1864," *ibid.*, XXI (1948).

26. Carleton to Maj. Gen. S. R. Curtis, Jan. 24, 1865, *Condition of the Indian Tribes*, 215-16.

27. Reproduced in *ibid.*, 243.

ment at Cedar Bluff or Cold Spring, on the Cimarron Route. Carson was to occupy this camp until November 1865 and protect trains passing to and from the States. He was also to have a talk with the Kiowa, Comanche, and Cheyenne chiefs. "Tell them this," advised the General. "They must not think to stop the commerce of the plains, nor must they imagine that we are going to keep up escorts with trains. We do this now until we learn whether they will behave or not. If they will not, we will end the matter by a war which will remove any further necessity for escorts."<sup>28</sup>

Near Cedar Spring Carson's men built Camp Nichols, a fort consisting of stone officers' quarters and walled tents surrounded by stone breastworks banked with earth. The first escort left Camp Nichols on June 19 and accompanied a caravan of 70 wagons to Fort Larned. Carson had no opportunity to convey Carleton's sentiments to the hostile chiefs, for he was almost immediately called to Santa Fe to testify before a joint congressional committee investigating Indian affairs. Maj. Albert H. Pfeiffer, his second-in-command, remained to furnish escorts to caravans for the remainder of the season. Camp Nichols was presumably abandoned in November 1865 as planned, for Col. James F. Meline found it in ruins the following summer.<sup>29</sup>

Carson's expedition of 1865 marked the end of escort service on a significant scale by troops from Fort Union. The railroad moving west into Kansas in 1866-67 caused traffic on the Santa Fe Trail to shift increasingly to the Mountain Branch. The Army mounted campaigns against the Kiowas, Comanches, and Cheyennes in 1868-69 and again in 1874-75, but not in the locale of the Santa Fe Trail and not primarily because of depredations on the Trail. These campaigns crushed the power of the tribes on the southern plains. Soon afterward, the railroad advanced through Raton Pass into New Mexico. In 1880 the first engine steamed into Lamy, station for Santa Fe, and the Santa Fe Trail passed into history.

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28. Carleton to Carson, May 4, May 8, 1865; SO No. 15, Hq., Dept. of N. M., May 7, 1865, in *ibid.*, 225-26, 245.

29. E. L. Sabin, *Kit Carson Days, 1809-1868* (2 v., New York, 1935), II, 751-55; Aurora Hunt, *The Army of the Pacific, 1860-1866* (Glendale, 1951), 163-65; James F. Meline, *Two Thousand Miles on Horseback . . . in the Year 1866* (New York, 1867), 269.

## SOLOMON PERRY SUBLETTE: MOUNTAIN MAN OF THE FORTIES

By JOHN E. SUNDER\*

THREE weary Mountain Men, leading a small string of pack mules, joined a larger group of travelers bedding down in the snow near the bank of El Rio de las Animas. Tall, rugged Solomon Perry Sublette and his two "clever companions," Bill Garmon and Fred Smith, carried government express dispatches to Taos and Santa Fe. The other adventurers were several days out of Bent's Fort on the Arkansas bound for northern New Mexico, determined to "kill and scalp" anyone party to the Taos rising and recent murder of Governor Charles Bent. The year 1847 was unpropitious for American authority in New Mexico, and the men encamped near the Purgatory that wintry night, February 11, slept in dangerous territory.<sup>1</sup>

Lurking Indians, biting wind and blistering sun were Western elements all Mountain Men endured, and "Sol" Sublette was an old hand who could take whatever nature provided. For at least nine years he had wandered the plains and mountains from Missouri to California, Idaho to the Southwest, trapping, trading, exploring, never marrying, never settling down for more than a few months. His Western exploits were common Sublette family fare. At thirty-two he was the youngest of five brothers. William, the oldest, had died two years earlier after twenty years of Western activity—had died a wealthy, highly respected Missourian. Milton was buried at Ft. Laramie. Pinckney had perished in an Indian engagement. Only Andrew, several years Solomon's senior, was alive, living in Missouri, preparing to serve in the Mexican War.<sup>2</sup>

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\* The University of Texas.

1. Lewis H. Garrard, *Wah-To-Yah And the Taos Trail* (Norman, 1955), pp. 123, 137; Ralph P. Bieber (ed.), *Wah-To-Yah And the Taos Trail* (Glendale, 1938), pp. 200-201.

2. File of Andrew W. Sublette, Capt. U. S. A., 1846-1848, Records of the Adjutant General's Office, Record Group No. 94, MSS., National Archives; *Daily Missouri Republican* (St. Louis), August 1, 1845; *Daily Picayune* (New Orleans), December 15, 1843; List of Persons killed in the Fur Trade, Sublette MSS., 1819-1860, Missouri Historical Society, St. Louis (Hereafter cited: Sublette MSS.).

All of the brothers were conditioned to a hardy outdoor existence by boyhood years in hilly, sparsely-inhabited country. Solomon, born in Lincoln County, Kentucky, shortly after the War of 1812, was named for a maternal uncle, Solomon Whitley, and quite possibly for Oliver Hazard Perry, naval hero of the Battle of Lake Erie. Phillip A. Sublette, Solomon's father, prospered as a tavern owner, part-time farmer, land speculator and county officeholder. Isabella Whitley, Solomon's mother, was the second oldest daughter of Colonel William Whitley, the renowned Indian fighter and lord of an imposing brick home overlooking the Wilderness Road in Lincoln County, Kentucky.<sup>3</sup>

The postwar trans-Mississippi land boom engulfed the Sublettes in 1817 and drew Phillip, Isabella and their children from Kentucky across the booming Old Northwest to the French settlement at St. Charles, Missouri Territory. Babe-in-arms Solomon was bundled up with the family property and carried west.<sup>4</sup> At St. Charles his parents returned to tavern-keeping, operated a ferry for a short time and helped Americanize the entrenched French culture of their newly-adopted town. Settlers flocked through the community; fur traders floated past the levee bound for the rich, virgin trapping regions along the Upper Missouri; and Solomon's new world was a small child's-eye-view of wagon wheels, plodding oxen, bemoccasined Indian traders and a Territory in transition.

Tragedy came early in his life and stayed late. His par-

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3. Solomon's actual year of birth is conjectural. The granite shaft marking the Sublette burial ground in Bellefontaine Cemetery, St. Louis, states that he was forty-two years old at the time of his death, August 31, 1857. Stella M. Drumm, who worked for many years on the Sublette Papers in the Missouri Historical Society, St. Louis, accepted 1816 as his date of birth. Records in the Probate Court, St. Charles, Missouri, place him last in the chronological list of Sublette heirs. The frequently accepted statement that Pinckney W. Sublette was the youngest of the five Sublette brothers seems to be inaccurate.

For information on the Sublette-Whitley family see the archives of Lincoln and Pulaski counties, Kentucky, 1797-1826. Also see the Lincoln and Pulaski county tax lists, at the Kentucky Historical Society, for the same period. The Draper Collection of Kentucky Manuscripts (Microfilms of the Draper Collection in the State Historical Society of Wisconsin), 1775-1845, now at the Filson Club, Louisville, contains additional valuable information.

4. St. Charles County Census Record, 1817, MS., St. Charles County Court, St. Charles, Missouri.

ents died of illnesses modern medicine might have cured, and he and his young sisters and brothers were entrusted to close relatives. William and Milton, the older boys, entered the fur trade, since economic conditions after the Panic of 1819 were uninviting in St. Charles. Solomon was taken by relatives who had followed the Sublettes to Missouri.<sup>5</sup> He matured during the eighteen-twenties and early thirties—matured and basked in the reflected light cast by his remarkable brothers. While he received a modest education and learned to ride, shoot and understand the countryside, they exploited the far western fur potential. Since William was the oldest brother and financially the most successful, he took charge of Solomon's career and carefully provided for him in his estate.<sup>6</sup>

In 1836 Solomon turned twenty-one. William offered to establish him in business. At first Solomon "could not make up his mind what course to pursue," but through William's positive suggestions decided finally to open a clothing store at Independence. The choice was sound: Independence was the outfitting point for both the Santa Fe and Oregon trails, times were good and the Sublettes had excellent business contacts in western Missouri. Robert Campbell, William's partner, then in the East, purchased an expensive outfit of shoes, hats, boots and Indian goods for the prospective store. While Campbell gathered the order, Solomon, to gain experience, clerked at Smith's St. Louis clothing shop.<sup>7</sup>

After a month's work behind the counter at Smith's store, Solomon traveled to Independence "well reconciled and anxious" to secure an advantageous location for his shop and to prove to his family his business ability. He found a desirable location, opened his doors in mid-April and six months later granted William a power of attorney. Business was good the first year, seemed even better the second and continued prosperous into the third. He restocked items—cigars, shaving

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5. For extensive information on the Sublette-Whitley family in St. Charles see the St. Charles County archives, 1817-1827. The archives of Callaway County, Missouri, contain many references to the McKinney family.

6. Will of William L. Sublette, 1831, Sublette MSS.

7. W. L. Sublette to Robert Campbell, January 4, 12, 30, February 9, April 20, 1836, *ibid.*

boxes, shoes and socks—purchased from Independence wholesalers, yet he did not repay William for the greater part of his original supply.<sup>8</sup>

The Panic of 1837 set in motion a depression wave which bit by bit surged westward, bringing trying times to Mississippi Valley merchants. Solomon grew restless with a shop-keeper's existence. His St. Louis companions dared him to "throw away [his] . . . old hats and coats" and return to mint juleps and the ladies. Since he disliked keeping shop, he closed his door, sold William his "negro man Cato," whom he had purchased in Independence, and substituted parties and cards for a merchant's life.<sup>9</sup>

During the spring and early summer of 1838 he visited Arkansas and Louisiana and sold a jack and several mules at Natchitoches. He liked stock-trading enough to return to St. Louis where William agreed to support his new equestrian interest. With a "drove of horses" in hand, Solomon set out for New Orleans and the "Southern Country." His success was very limited, however, in fact too limited to be promising, and he dashed to St. Louis, leaving horses and mules at Washington, Arkansas, to be sold by a friend.<sup>10</sup>

As might be expected he did not return to Arkansas, but parted company with William in St. Louis, hurried to Independence and, by late spring, 1839, was on his way to Santa Fe.<sup>11</sup> William had spent over three hundred dollars financing his young brother's unproductive southern ventures. Solomon's outstanding debt to William was well over three thousand dollars by that time, although Sublette and Campbell held him responsible for only his clothing store accounts.<sup>12</sup>

In the West, Solomon criss-crossed the countryside be-

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8. S. P. Sublette Power of Attorney to W. L. Sublette, October 17, 1836, *ibid.*; Bill of J. Basey (?) to S. P. Sublette, 1837, *ibid.*

9. Note of S. P. Sublette to Sublette and Campbell, December 1, 1838, *ibid.*; I. T. Peck to S. Sublette, June 28, 1836, *ibid.*; Bill of Sale from S. Sublette to W. L. Sublette, July 18, 1838, *ibid.*

10. Sublette and Campbell to W. D. Stewart, February 8, 1839, *ibid.*; J. Walsh to S. T. McAllister, February 8, 1839, *ibid.*; S. P. Sublette to T. Sharp, May 2, 1838, *ibid.*; Order of S. P. to W. L. Sublette on T. Sharp for R. Guin, 1839, *ibid.*; J. S. Burt to W. L. Sublette, December 9, 1839, *ibid.*; S. P. Sublette to John Chinowth (?), May 8, 1839, *ibid.*

11. S. P. to W. L. Sublette, May 1, 1839, *ibid.*; W. L. Sublette to T. Sharp, May 14, 1839, *ibid.*

12. Balance Sheet from Sublette and Campbell Ledger, December 1, 1842, *ibid.*

tween Santa Fe and Bent's Fort. For three years he trapped, traded and lived off the land, perhaps working closely with Louis Vásquez and Andrew Sublette, then trading on the Upper Platte and Arkansas. The termination of their partnership possibly influenced his decision to return to Missouri to "get some assistance." From Taos he moved northeastward to Bent's Fort, joined a small party under Joseph Williams returning from Oregon and was in Independence late in October, 1842.<sup>13</sup>

Undecided as usual about his future, he rejected a friend's proposal that he return to the Southwest and offer his services to the Texas Republic. Instead, he lingered in Independence during early November, 1842, investigating the produce market for William. Solomon "had no means" to do otherwise and intimated that Andrew had broken an old, though questionable, promise to assist him financially. William was in western Missouri on business later in the month, met Solomon, paid at least one of his outstanding bills and accompanied him eastward to a family reunion at the large Sublette farm—Sulphur Springs—in St. Louis County.<sup>14</sup>

Spring arrived late; its days filled with grief and frenzied activity. Sophronia, the last of three Sublette sisters, was ill during the winter and died suddenly in April.<sup>15</sup> William prepared to join Sir William Drummond Stewart and a large group of friends in a "pleasure" trip to the valley of Green River; Andrew was in poor health; and the Hereford family, new lessees of resort facilities at Sulphur Springs, were busy with management details. Solomon decided to accompany William to the Green and was sent to western Missouri to collect debts owed Sublette and Campbell and to purchase livestock for the expedition. In May he joined William's party near Independence.<sup>16</sup>

13. S. P. to W. L. Sublette, October 29, 1842, *ibid.*; Joseph Williams, *Narrative of a Tour from the State of Indiana to the Oregon Territory in the Years 1841-42* (New York, 1921), pp. 86, 88.

14. S. P. to W. L. Sublette, October 31, November 28, 1842, Sublette MSS.; A. W. to W. L. Sublette, December 9, 21, 1842, *ibid.*; Receipts of S. Noland (?) and Samuel C. Owens to S. P. Sublette, October 29, December 13, 1842, *ibid.*

15. *Daily Missouri Republican* (St. Louis), April 21, 1843.

16. Stella M. Drumm and Isaac H. Lionberger (eds.), "Correspondence of Robert Campbell 1834-1845," *Glimpses of the Past*, VII (January-June, 1941), 50, 53, 55-56; Instructions for S. P. Sublette from Sublette and Campbell, 1843, Sublette MSS.

The Stewart-Sublette group, a bit in advance of a large Oregon-bound contingent of settlers, headed across the muddy prairies towards the Platte. Solomon took charge of a small outfit under Jesuit fathers Peter De Vos and Adrian Hoecken, traveling with the pleasure party to Flathead Indian missionary work. From eastern Kansas to Ft. Laramie the combined expedition frolicked across the plains on clear, sunny days and grumbled in the rain. They celebrated the Fourth of July on the Platte and a few days later rolled onto Laramie plain.<sup>17</sup>

Solomon remained at the fort when the expedition left on July 8—remained to erect a more Christian monument over his brother Milton Sublette's last resting place. The old, crude wooden cross was broken, badly in need of repairs.<sup>18</sup> He spent most of the summer at or near Ft. Laramie and in the autumn took a supply of Indian trade goods down to the South Platte and Upper Arkansas. Meanwhile, in November William returned to St. Louis, pleased with his trip, yet in failing health. On New Year's Day, 1844, he drew up a new will, bequeathing most of his valuable property to Andrew, Solomon and Frances S. Hereford, his "estimated [*sic*] female friend" and future wife.<sup>19</sup>

William—perhaps responsible for financing Solomon's outfit to the Upper Arkansas—received frequent letters during 1844 from his younger brother. Solomon reported in the spring that "trade is a ragin [*sic*] very high there is a plenty of goods and very few robes." The Indians had "stolled [*his*] horse," another horse had distemper and, he added, that on one occasion he walked fifty miles from an Indian village to his camp for lack of proper transportation. Trade to Santa Fe was hampered by political difficulties, but he remarked to friends that he might spend the summer in Spanish country

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17. M. C. Field Diary of 1843, Entries of June and July, MSS., Missouri Historical Society. Also see the M. C. Field sketches published in the *Daily Picayune* (New Orleans), 1843, and reproduced in Kate L. Gregg and John F. McDermott (eds.), *Prairie and Mountain Sketches*, Norman, 1957.

18. *Daily Picayune* (New Orleans), December 15, 1843; M. C. Field Diary of 1843, Entry of July 5, MSS., Missouri Historical Society; Gregg and McDermott, *op. cit.*, p. 78.

19. S. P. to W. L. Sublette, February 2, 1844, Sublette MSS.; Last Will and Testament of W. L. Sublette, January 1, 1844, *ibid.*



and return to the Arkansas later in the year. He suggested that William join him in the mountains for the summer—for his health, not for trade, since trade continued erratic. Unless he could “get some business” in St. Louis, Solomon intended to remain where he was in the West.<sup>20</sup>

Instead of going to Santa Fe for the summer he plunged into the Colorado Rockies to hunt sheep and antelopes to send to William’s farm. In early October he reached Ft. Pueblo, having completed his hunt, and on the twentieth of the month was at Taos to lay in winter provisions. He had not heard from William in nearly a year and a half and feared that his older brother might be quite angry over unpaid debts. Andrew, who had returned to the West that year for his health, joined Solomon, on the South Platte or at Bent’s Fort, and passed the time with him in Taos. Solomon envied Andrew’s farming experience—the “happiest life that a man can lead”—but Andrew, freed by the mountain air from his persistent cough, did not intend to return permanently to the Sublette farm.<sup>21</sup>

The two brothers were back on the South Platte before winter made travel difficult. As soon as the snow cleared in March, Solomon went to Taos for provisions and returned to meet Andrew who was following the buffalo along the Arkansas. Both had considered a jaunt to California, but Andrew decided to return to Missouri that summer. Solomon sent William “10 or 12 pounds of Beaver and Forty Dollars” to settle some of his debts and turned westward to pick up the California Trail. His brother-in-law, Grove Cook, whom Sophronia had divorced two years before her death, was in California and Solomon intended possibly to “establish himself [there] when he [liked] the Country. . . .”<sup>22</sup>

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20. S. P. to W. L. Sublette, February 2, April 18, May 5, 1844, *ibid.* Solomon may have been employed by Bent and St. Vrain in the years 1843-1845. See Harrison C. Dale, “A Fragmentary Journal of William L. Sublette,” *Mississippi Valley Historical Review*, I No. 1 (June, 1919), 105.

21. A. W. to W. L. Sublette, October 20, 1844, Sublette MSS.; Receipt of S. P. Sublette at Fort Pueblo, October 9, 1844, *ibid.*; S. P. to W. L. Sublette, May 5, October 20, 1844, and S. P. to A. W. Sublette, May 5, 1844, *ibid.*

22. A. W. to W. L. Sublette, March 3, April 6, 1845, *ibid.*; George P. Hammond (ed.), *The Larkin Papers* (Berkeley and Los Angeles, 1953), IV, p. 10.

He and a party of fifteen crossed rapidly to California, passing at least two groups of emigrants along the way. On October 7, Solomon reached New Helvetia (Sutter's Fort) and was welcomed by Sutter himself who concluded that the youngest Sublette was "a Man of considerable property." Either Sutter was deceived or Solomon had profited greatly during his months between Taos and the South Platte. He and some of his party moved to Yerba Buena (San Francisco) where they celebrated the holidays in high style. Late on Christmas Eve they "made a great hurahing" outside the door of William A. Leidesdorff, one of the more prominent local merchants. Later that night Solomon, no doubt in his cups, returned to abuse the merchant "shamefully, telling him that he had struck terror through all the towns he had been at, and would strike terror through [him] before he left [that] town." Then with a flourish he tossed two large stones on Leidesdorff's adobe bungalow roof and went his happy way!<sup>23</sup>

Seven months in California convinced Solomon that his future was not on the Pacific Coast. He surveyed possibilities in land and livestock, probably visited Grove Cook and his new bride, Rebecca Kelsey Cook, either at their Santa Cruz home or at Sutter's Fort, and decided to return to Missouri. Possibly he had news of William's death the previous July and believed he should participate in the estate settlement. William had dictated a new will the day before his death, designating Robert Campbell and Andrew as executors. Solomon was granted considerable real and personal property. During the winter, while he abused merchants, his brother's will was in probate.<sup>24</sup>

Late in May Solomon and ten others, under hire as herdsmen to Joseph Reddeford Walker, drove eighty mules and horses from Pueblo de Los Angeles eastward over Walker

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23. Hammond (ed.), *op. cit.*, pp. 10, 150; H. H. Bancroft, *The Works of Hubert Howe Bancroft* (San Francisco, 1886), XXI, pp. 577-578; *New Helvetia Diary of Events from 1845-48* (San Francisco, 1939), pp. 5-6.

24. J. A. Sutter to S. P. Sublette, December 22, 1845, Sublette MSS.; Last Will and Testament of W. L. Sublette, July 22, 1845, *ibid.* See also Record of Wills C, 1840-1850, pp. 181-182, MSS., St. Louis Probate Court, St. Louis. For the story of Solomon's California venture see Doyce B. Nunis, Jr., "The Enigma of the Sublette Overland Party, 1845," *Pacific Historical Review*, XXVIII No. 4 (November, 1959), 331-349.

Pass through the Sierras to the Humboldt and on to Ft. Hall. Walker rested his herd at the fort, but Solomon and three friends pushed on to Ft. Bridger and Ft. Laramie. Since provisions were low at Laramie and the neighboring Sioux were touchy, Solomon's tiny party turned south along the front range and reached Bent's Fort in mid-August. There they joined a party heading east along the Santa Fe Trail. Three weeks later Solomon rode into Weston, Missouri, and took passage on the steamboat *Little Missouri* for St. Louis, arriving about September 10.<sup>25</sup>

Andrew, Frances, and Solomon worked steadily throughout the autumn on pressing items in William's estate. Solomon inherited a small herd of prize cattle; wearing apparel; William's "largest double barrel gun"; one-half of William's land in Cole County, Missouri, including town lots in Jefferson City; and approximately one-fourth of his brother's seven hundred acres of improved St. Louis County land. By the will he was freed of all debts with the exception of a small sum due Robert Campbell.<sup>26</sup>

The estate brought Solomon only temporary security; he was soon in debt and his spirit roamed westward. Despite a siege of ill health, he accepted an appointment to carry government dispatches to Taos and Santa Fe—not an enviable duty—beginning late in 1846. From Ft. Leavenworth, the day before departure, he wrote Frances that her presence in St. Louis the previous autumn brought him great happiness. "You may look for my return in due time," he promised, and asked her to discount any rumors she might hear of his death. He intended fully to return, court and win his brother's attractive widow.<sup>27</sup>

Throughout January and early February, 1847, Solomon's small party tramped over heavy snow across Indian country along the Arkansas to Bent's Fort. Their mules subsisted on ice-encrusted dry grass and strips of cottonwood bark. At Bent's Fort they heard of the Taos rising, and Solomon "made

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25. *Daily Missouri Republican* (St. Louis), September 11, 1846; Francis Parkman, *The Oregon Trail* (Garden City, 1946), pp. 242-243, 264.

26. Last Will and Testament of W. L. Sublette, July 22, 1845, Sublette MSS.; File of Estate of William L. Sublette, File 2052, MSS., St. Louis Probate Court.

27. S. P. to F. S. Sublette, January 7, 1847, Sublette MSS.

application . . . for an additional force" which he was to meet south of the Fort. The force materialized unequipped, and Solomon holed up near the Purgatory to wait out the insurrection. Fortunately, he learned from a traveler that the rising was subdued. Reaching Taos, he delivered a precious packet of dispatches to Colonel Sterling Price and, after a visit to Santa Fe, headed home late in March. Two months later he reached Ft. Leavenworth.<sup>28</sup>

Before leaving for the Southwest he petitioned Senator Thomas Hart Benton of Missouri for "some . . . appointment in the Indian country." Solomon had in mind specifically an Indian agency on the Missouri. He reminded Senator Benton of his years of residence "amongst the tribes and his service in California," which suggests that Solomon played a part in California politics during the winter of 1845-46. The Senator, an old friend of William Sublette's, promised help and a few months after Solomon's return from Santa Fe offered him the agency for the "United tribe of Sacs & Foxes of the Mississippi." Solomon accepted, at a yearly salary of fifteen hundred dollars, and was assigned through Thomas A. Harvey, Superintendent of Indian Affairs at St. Louis and an old Sublette family political adversary.<sup>29</sup>

His appointment was greeted by the press with "general satisfaction" and the expectation of efficiency. Certainly he possessed enough experience to undertake the job, yet in less than a year he resigned. Writing to the Office of Indian Affairs on April 18, 1848, he relinquished his position. He was compelled to do so through "continued sickness," he said, but the possibility remains that politics, the instability of his personality, new business prospects and his intention to take Frances as his wife were of greater consequence.<sup>30</sup> Frances, who had "rather bad luck" with the Sublette farm during the winter, had accepted Solomon's proposal.<sup>31</sup>

28. *Ibid.*, May 1, 1847, *ibid.* This letter is reproduced in Bieber (ed.), *op. cit.*, p. 200.

29. S. P. Sublette to Sen. T. H. Benton, December 11, 16, 1846, Sublette MSS.; U. S. War Department to S. P. Sublette, October 21, 1847, *ibid.*

30. S. P. Sublette to Col. W. Medill, April 18, 1848, *ibid.*; *Jefferson Inquirer* (Jefferson City), November 6, 1847.

31. Theresa Hereford to S. P. Sublette, January 30-February 1, 1848, Sublette MSS.; S. P. to F. S. Sublette, April 28, 1848, *ibid.*

Solomon joined Frances at Independence and on May 21, 1848, married her in a quiet ceremony at the Southern Methodist Episcopal Church. They were "busily engaged preparing to leave" for California and had placed friends in charge of the Sublette farm and William's unsettled estate. By June 1, they were ready to depart; then, at the last minute, cancelled their plans. Frances was seriously ill. Solomon remained at her side until she recovered partially, but sufficiently to permit him to enter the Santa Fe trade.<sup>32</sup>

Frances' brother, Thomas Hereford, had persuaded Solomon to join him and transport an expensive line of merchandise to Santa Fe. Solomon agreed to the business proposal and made the overland crossing to New Mexico, although he "never wanted to commence the trade." In the autumn of 1848 he returned briefly to St. Louis on a "pleasure trip," but was again in Santa Fe by mid-May of 1849. There he learned that his southwestern affairs were disordered and that his goods were at market in Mexico.

He joined his partner in Chihuahua where dull business followed unpromising prices. After selling their carryalls and a few draught animals, the partners awaited impatiently the arrival of new goods. Hereford offered to sell out to Solomon, but Solomon refused and agreed instead to a mutual dissolution of partnership. He was tired of the calico trade and was anxious to be in Missouri before winter. While Hereford remained in Chihuahua to settle business accounts and gather a herd of mules to drive to California, Solomon returned to a mortgaged home at Sulphur Springs.<sup>33</sup>

He reached St. Louis possibly in time for the birth of Solomon Perry, Jr., his first child, shortly before Christmas. The following spring he made a short business trip to New Orleans and, in his absence, his son's health grew precarious and he arrived home to find him near death. The boy died of a

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32. Record 1, 2 & 3, p. 173, MSS., Jackson County Recorder of Deeds Office, Independence, Missouri; S. P. to F. S. Sublette, April 28, 1848, April 21, 1849, Sublette MSS.; F. S. Sublette to M. Tarver, May 27, 1848, *ibid.*; Memorandum of Agreement with George Glass, June 6, 1848, *ibid.*

33. S. P. to F. S. Sublette, September 8, 1849, *ibid.*; S. P. Sublette to M. Tarver, May 29, 1849, *ibid.*; T. A. Hereford to S. P. Sublette, March 9, 1850, *ibid.*

persistent cough—possibly consumption—on April 24, and was interred at the Sublette burial ground on the farm.<sup>34</sup>

There were few bright spots in Solomon's later years. He and Frances attempted to make a living from the soil, but were land-saturated, incapable of deriving a large income from their inherited holdings. Friends and relatives, always ready to request assistance, believed the Sublettes were extremely wealthy. Instead, Solomon could give their pleas little attention. He did not have the means, and the strong, deep tragic current in his life ran full at the end. Frances was seldom in good health, her conditioned weakened by the birth of two children, Esther Frances and William Hugh Sublette. Young William died at seventeen months. Esther Frances survived her parents, but died at the age of seven.<sup>35</sup> Frances succumbed after a prolonged illness on September 28, 1857, but fortunately Solomon was spared that final grief, since he preceded her in death by four weeks.<sup>36</sup> In his forty-two years of life he had missed success and happiness. He did, however, realize that his Western experiences would be useful to writers such as Joseph Ware, compiler of an emigrants' guide in 1849, who found Solomon a ready source of Western information.<sup>37</sup>

In retrospect modern psychiatry could find in Solomon's life an interesting study. Orphaned at an early age and entrusted to relatives for many years, he matured too late to follow profitably his brothers' vocation. His life was overshadowed by their success, and he was unable to find security, satisfaction or an answer to his "destiny neurosis." At William's death the only strong guiding hand in his life was lost. "During his life time," Solomon wrote despondently, "I had a friend and one that would do any thing to assist me, in pro-

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34. F. S. to S. P. Sublette, March 2, 1851, *ibid.*; *In the Supreme Court of Missouri, October Term 1902, Division No. 1*, p. 159. See also the Sublette burial ground marker, Bellefontaine Cemetery, St. Louis.

35. Sallie Hereford to S. P. and F. S. Sublette, December 16, 1853, Sublette MSS.; M. L. to S. P. Sublette (?), August 12, 1852, *ibid.*; *In the Supreme Court . . .*, pp. 159-160.

36. Files of Estates of Solomon P. Sublette, File 5072, and Frances S. Sublette, File 5073, MSS., St. Louis Probate Court.

37. Joseph E. Ware, *The Emigrants' Guide to California* (St. Louis, 1849), pp. xxiii, 26.

moting happiness, reputation, & prosperity, he loved me as a father would a Son, it was one of the greatest calamities that ever fell to the lot of men the day I lost him."<sup>38</sup> Dogged by personal tragedy, Solomon Sublette surrendered to failure and died as the new West of miner, cowhand and farmer replaced the West of the Mountain Men.

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38. S. P. Sublette to M. Tarver, March 19, 1849, Sublette MSS.; John E. Sunder, *Bill Sublette: Mountain Man*, Norman, 1959; Franz Alexander, *Our Age of Unreason*, New York and Philadelphia, 1942.

## LEW WALLACE'S *BEN HUR*

*By* JACKSON E. TOWNE

**O**LIVER LAFARGE, in his "Santa Fé. The Autobiography of a Southwestern Town," speaks of General Lew Wallace as the "first recorded member of the town's art colony," for Wallace wrote the sixth, seventh and eighth books of the novel "Ben Hur" in the Palace of the Governors at Santa Fé while serving as Territorial Governor of New Mexico from 1878 to 1881.

The present writer well remembers how Dr. Edgar L. Hewett, as a former Director of the Museum of New Mexico had assembled a number of interesting relics pertaining to Lew Wallace, including the General's morris chair with lap board on which he wrote; his bronze bust, presented to the institution by his son, Henry Wallace; portraits, with one of the General wearing the rather too long beard which he affected in the 1870's; copies of some of his most important executive orders; a set of his most important works; and the letter certifying to the portions of "Ben Hur" written in the Palace, as follows:

(although the letter is dated from Crawfordsville, Indiana, "May 6th, '90," the General wrote on stationery bearing the letterhead of the "Territory of New Mexico, Office of the Secretary, Santa Fé")

Dear Sir:

Touching your inquiry whether "Ben-Hur" was written in the old palace of Santa Fé, I beg to say it was finished there. That is, the MS. was completed at the same time of my appointment to the governorship of New Mexico (1877), down to the sixth book of the volume, and I carried it with me.

When in the city, my habit was to shut myself after night, in the bedroom back of the executive office proper, and write till after 12 o'clock. The sixth, seventh and eighth books were the result, and the room has ever since been associated in my mind with the Crucifixion. The retirement, impenetrable to incoming sound, was as profound as a cavern's.

Very respectfully.

(Signed) Lew Wallace



"Ben Hur" is not a great historical novel, it cannot be compared with "Quo Vadis" or with "War and Peace." But "Ben Hur" has had by far the most financially successful series of dramatizations for stage and screen of any novel written anywhere. The technicolor production released by the Metro-Goldwyn-Mayer company and premiered in New York City at Loew's State Theatre on November 16, 1959, is confidently predicted to prove the most profitable single film in the entire history of the motion picture industry. The Metro production is expected to surpass the financial record of Paramount's "The Ten Commandments," reputed to have earned \$27,000,000 in its first 19 months of showing; and a figure of \$30,000,000 for "Ben Hur" has been quoted in *Variety*.

The earnings of "Ben Hur" have certainly been out of all proportion to the quality of the original novel. *Has it been the chariot race that has been such an attraction?* We can account for some of the latest success because of wisely chosen adapters, such as Maxwell Anderson, S. N. Behrman, Christopher Fry and Gore Vidal; looking backward, we can highly credit the competent acting of such old stage players as William H. Farnum, Conway Tearle and William S. Hart, and currently, again, much praise is doubtless due such effective screen players as Charlton Heston, Sam Jaffe and Finlay Currie; but are these factors sufficient to explain the enormous earnings? There remains an enigma for the serious theatre and screen critic. In the meantime, the record in mere quantitative terms is certainly striking.

"Ben Hur" was published as a novel by Joseph Henry Harper of the well-known firm of Harpers of New York on November 12, 1880. A contract was signed which gave the author a 10 per cent royalty. In the first seven months after publication the novel only sold about 2,800 copies, earning for Wallace less than \$300. (The book was priced at a dollar and a half.) By 1883 Wallace wrote to his son that he hoped for \$100 a year from "Ben Hur" and the earlier novel of the conquest of Mexico, "The Fair God," together. During the initial months after publication some of the harshest and shrewdest criticisms of "Ben Hur" appeared. For a balanced,

academic judgment of the story the reader is referred to Carl Van Doren's strictures in his "The American Novel" published some fifteen years after Wallace's death.

Following a slow start, sales of "Ben Hur" began to boom, and as Irving McKee puts it in his popular biography of Wallace: "the rill became a brook, the brook a river, the river a flood." And Mr. McKee summarizes:

Schools, colleges and clubs without number swam with the tide and swelled it; as no other novel it was good for the young, the impressionable, the wayward. By the close of 1889, 400,000 copies had been sold, and there was no sign of a slackening. In 1890 various newspapers, perhaps on the authority of Harpers, said it had outsold *Uncle Tom's Cabin*. . . . By 1911 a million authorized *Ben-Hurs* had been disposed of, not to mention pirated copies in England and Germany. It was translated into German, French, Swedish, Bohemian, Turkish, Italian, Spanish, Portuguese, Arabic, and Lithuanian, and printed in Braille. . . . Harpers in 1944 estimated that at least 2,500,000 copies had been sold. . . .

In due course, Wallace was besieged with offers for the dramatization of "Ben Hur." He was in correspondence with a number of famous actors about it, with Lawrence Barrett and Alexander Salvini; and Henry Irving once seriously considered attempting the role of Simonides which is so ably played by Sam Jaffe in the current film version. No first rate dramatists applied, and in 1899 Wallace agreed to a production to be directed by one Joseph Brooks of the firm of Klaw and Erlanger, with the story to be adapted by one William Young of Chicago. Wallace's royalties were to be double those he had received from Harpers. Claude L. Hagen designed a machine to manipulate "waves" in the naval scene, treadmills for the chariot race (a refinement of the mechanism used previously in the Klaw and Erlanger production of "The County Fair," written by Charles Barnard and Neil Burgess), and a moving panorama of the arena.

The Young adaptation involved thirteen scenes in six acts: the desert with a pantomime of the Wise Men, the roof of the Hur palace in Jerusalem, the galley, the raft, Simon-

ides' house, the Grove of Daphne, the Fountain of Castalia, Ilderim's tent, the Orchard of Palms, the gateway to the Circus, the arena, the vale of Hinnom, and Mount Olivet. A shaft of light (25,000 candle power) was used, growing brighter to signify Christ's approach and dimmer at His exit, Jesus Himself not actually being impersonated.

At the opening performance the title role was not taken by William H. Farnum but he soon stepped into it, and was later regarded as having been the most successful of a number of actors in the part, including Conway Tearle, Henry Woodruff, and Thurston Hall. Messala was played from the start by William S. Hart who later made a great reputation in grade B Western movies. One of the last interpretations of Messala was given by Franklin Pangborn who later became a slap-stick two-reel film comedian, specializing in outraged floor-walker impersonations.

The premiere of "Ben Hur" occurred at the Broadway Theatre in New York City on November 29, 1899. General Wallace was present, conspicuously seated with Mrs. Wallace in a lower proscenium box, and made a brief appearance before the footlights between the acts. The performance ran for three hours and twenty-nine minutes, which is interesting to compare with the running time of the current film of sixty years later which takes three hours and thirty-two minutes. (The silent film version of 1925 ran two hours and eight minutes.)

The dramatic version was an immediate and smashing hit in New York in 1899. It held the stage for twenty-four weeks, until May 12th, and reopened again in the fall. The more serious critics found much fault, just as the earliest critics of the novel had done, but everyone went to see the production. The New York *Clipper* speaks of "packed houses," "a triumphant success," "record-breaking attendance," and "enormous business."

In 1900 the big heavy show set out on the first of many tours to the leading theatres in the major cities of the United States, annual tours which were to continue unbroken until the play was finally withdrawn, in Newark, New Jersey, in the last week of April, 1920. There were Australian tours

and London productions. Unfortunately the stage version of "Ben Hur" never played in Santa Fe, nor even in Albuquerque, or anywhere in New Mexico. One of the first of the tours took the show to Indianapolis, which was in a sense Wallace's "home town," when he was not living in Crawfordsville.

Fifty years ago the present writer had the pleasure of seeing "Ben Hur" performed on the stage of the Davidson Theatre in Milwaukee during the 1908-09 tour, when the good English actor, Conway Tearle, had the title role. The boatswain in the galley scene had a sort of gavel with which he pounded time for the oarsmen, and he ominously began pounding the gavel several minutes before the curtain went up on the scene. The gray sheets fluttering to represent waves in the raft scene made a poor illusion; but the chariot race was an undeniable thriller!

For some reason, Claude Hagen's panorama of the arena was dispensed with, and the horses, chariots and charioteers performed against black curtains with strong spotlights thrown onto the stage from the wings. There were only two chariots, with two horses each. The horses galloped slowly forward, facing directly into the footlights, immediately reminding of the horses used to pull the smoking fire engines of the 1900's. The rollers of the two treadmills made a tremendous noise, filling the darkened auditorium with thunder enough to suggest the giving way of a gigantic log boom on the Columbia River. So noisy were the treadmills that the clatter of the horses hooves, the grinding of the wheels of the chariots, and the crack of Messala's whip were quite inaudible. After a few moments, Messala's chariot slipped into a slant, and the audience knew that the villain's chariot had lost its wheel, as in the story. Ben Hur's chariot then moved a little forward on its treadmill, and the curtain came down—amidst wild applause!

Joseph Brooks, the Erlanger representative who first contacted Wallace about the play, was killed in a fall from the eighth floor of his home on West 79th Street, New York, November 29, 1916 (the anniversary of the opening in 1899). He was believed to have earned a fortune of \$250,000 as director of "Ben Hur."

Mr. McKee, in his biography of Wallace, summarizes the success of the stage version for us:

It was destined to be performed 6,000 times, mostly in big cities and at high prices; a total of 20,000,000 persons were to pay \$10,000,000 to see it. The itinerary for twenty-one years—with enlarged stages, S. R. O. signs, full-length seasons—is unequaled in the history of the theatre. It is a roll call of America, and of some of the rest of the world. *Ben-Hur* broke down another barrier: as the novel was bought by people who had never read a novel before, the play was stormed by newcomers to the theatre....

Klaw and Erlanger made millions, Harpers and the Wallaces (father and son) hundreds of thousands, and a vast throng of actors, managers, stagehands, book sellers, and other middlemen fattened on *Ben-Hur*....

General Wallace died at Crawfordsville, Indiana, on February 14, 1905. "Ben Hur" was on tour, of course, and that year it had played Indianapolis once again.

Within a few months after the final withdrawal of the play in 1920, preparations were under way for the first "colossal" silent movie version. The General's son, Henry, was paid \$1,000,000 for the rights by Erlanger, Ziegfeld and Dillingham; and the Metro-Goldwyn-Mayer studio outbid all others in purchasing the rights. The studio then "labored for three years, 1922-1925, from Rome to Hollywood, expending \$4,000,000 more on (the staging from) a scenario by Carey Wilson and Bess Meredyth." Mr. McKee's biography continues:

The seafight was enacted in the Mediterranean with fourteen vessels and twenty-eight hundred men. Ten thousand actors, one hundred and ninety-eight horses, a specially constructed grandstand three thousand feet long, forty-two cameras (one of them in an airplane) were necessary for the chariot race, which cost a quarter of a million....

*Variety*, the well known theatrical journal, in its number for November 18, 1959, gives us some further little known facts:

While a good part of the picture was photographed in Italy, some big scenes like the chariot race and interiors were done

in Hollywood. When the race was run, a wheel came loose on a chariot and several of the vehicles crashed into one another. Through a miracle, no one was hurt, but one of the most spectacular (and unplanned) scenes had been put on record.

In the chapter in his book, "The Lion's Share," devoted to "Ben-Hur," Bosley Crowther records that the picture when it finally opened on Broadway on December 30, 1925, ran 128 minutes and stayed at the George M. Cohan Theatre for a year. In fact, it didn't get into general release until the fall of 1927. According to Crowther, "Ben-Hur" lost money for Metro, but "the vast commercial prestige redounding to the company through having this picture was a tremendous . . . boon."

Total earnings, including those from a reissue in 1931 with sound dubbed in, totaled \$9,386,000 according to Crowther. With 35% subtracted for distribution, this left \$6,100,000. However, this had to be divided equally with the backers, who included Florenz Ziegfeld, Vincent Astor, Robert Walton Goelet and others. . . .

We conclude our references to the first of the great "Ben Hur" films with one more quotation from Mr. McKee:

The movie's first run on Broadway lasted twenty-two months, and then it pervaded the country and much of the world, after the manner of movies. Berlin applauded it; King George and Queen Mary attended a special showing at Windsor Castle; China banned it as pro-Christian propaganda . . . A movie edition of the novel sold enormously. Whoever had not seen *Ben-Hur* before saw it now, in cities, towns, hamlets.

We have already referred to the Metro-Goldwyn-Mayer film version (Santa Fe saw it now, of course!) which had its premiere in New York City at Loew's State Theatre on November 16, 1959, indicating the enormous earnings which are anticipated. And we have already mentioned the collaboration of a number of distinguished playwrights on the adaptation. It is undoubtedly the treatment which the more intimate scenes of the story have been given by these experienced authors which accounts for the praise which the film has received from all the more serious movie critics, from Mr. Crowther in the *New York Times* on into all the better national magazines which carry cinema reviews. For the first

time since 1880 the intimate scenes of the story have received general critical commendation.

The Metro-Goldwyn-Mayer film was directed by William Wyler. It will be presented twice daily to a reserved seat audience in no less than 30 American cities by March, 1960. Once again Santa Fe will miss a presentation of the story that was originally written in part in the Palace of the Governors. This is ironic, for the medium used should make for the widest dispersal in the shortest possible time.

We conclude with a paragraph from *Variety* magazine for Wednesday, November 18, 1959:

The statistics concerning the production are overwhelming. They include 1,500,000 feet of exposed film, six \$100,000 "Camera 65" units, 300 sets, 100,000 costumes, 1,500,000 props, 78 trained horses from Yugoslavia, 12 camels from North Africa, hundreds of other horses, sheep and other animals, 10,000 feet of electrical equipment, 25,000 extras and bit players, 1,000 Italian workers who labored one year to build the arena for the chariot race, 50 ships built especially for the sea battle, 18 custom-made chariots, 60,000 blossoms for a victory parade, two miles of pipe for water used in 40 minutes, one ton of specially designed ceramic tile . . .

"My God!" exclaimed General Wallace when shown all the elaborate scenery being placed in position for the dress rehearsal for the initial New York production of "Ben Hur" in 1899: "*Did I set all this in motion?*"

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Hollywood, April 5 (AP)—The 15 million dollar movie "Ben-Hur," most costly in Hollywood history, reaped 11 Oscars last night. It was the greatest Academy Award triumph ever scored. *The Albuquerque Tribune*, April 5, 1960.

(F. D. R.)

## Book Reviews

*The Mexican Revolution: 1914-1915.* By Robert F. Quirk. Bloomington: University of Indiana Press, 1960. Pp. 325, index. \$6.75.

Here is an account of a most critical year in the history of Mexico, from the time of the collapse of the regime of Victoriano Huerta in mid-1914 to the triumph of the Constitutionalist forces of Venustiano Carranza and Alvaro Obregón over the Conventionist forces of Pancho Villa and Emiliano Zapata in mid-1915. It was a most significant year, one in which the Mexican nation was caught up in a titanic struggle between competing revolutionary personalities and ideologies. There was a plethora of parliamentary debate and revolutionary proclamation but the outcome was determined, of course, on the field of battle.

Professor Robert Quirk has made a substantial contribution to our knowledge of the great revolution in Mexico. This book is solidly based upon primary material. It is a product of prolonged research in depth. The style is lively, witty, and lucid.

For the first time, in English, we have a truly penetrating analysis of the regional, ideological, and personality clashes that provoked such turmoil in this year. In addition to bringing into sharper relief the Villa-Carranza feud, the author explores in detail the more subtle differences within each major camp, such as factors which prevented full cooperation between Villa and Zapata and the often unpredictable nature of Obregón's relationship with Carranza. In addition, there is brought to light the important supporting roles played by such Constitutionalist generals as Lucio Blanco, Francisco Coss, Pablo González, Eulalio González, and *villista* officers as Felipe Angeles and Roque González Garza. Most vivid of all are his descriptions of *zapatistas* like Antonio Díaz Soto y Gama, Manuel Palafox and Antonio Barona.

If the author is partial to one side or the other he certainly conceals it well in his exposition. The only slightly subjective treatment of an individual that this reviewer can



detect is that of González Garza. Perhaps this is because the author drew quite heavily on his private papers and was in such close contact with him prior to writing this book.

To the mountain of criticism already heaped upon Woodrow Wilson's diplomacy in this period, Mr. Quirk piles on still more. In particular, he portrays the near idiocy of a policy of backing a leader such as Villa, even after his cause was hopelessly lost.

In sum, this volume fills a real gap, but it makes even more apparent another gap in the early history of the revolution. The books by Stanley Ross and Charles Cumberland have dealt competently with the Madero Period 1910-February 1913. What is badly needed now to fill the remaining gap is a treatment, as fine as this book of Mr. Quirk's on the mid-1914-1915 period, of the Huerta regime during the period February 1913-July 1914.

University of New Mexico

EDWIN LIEUWEN

*Texas Indian Papers 1825-1843*. Edited by Dorman H. Winfrey et al. Austin: Texas State Library, 1959. Pp. 298. \$5.25.

The Texas archives are an invaluable source of information for students of both state and national affairs. The Indian papers are now made more readily available to them. Subsequent volumes will present additional documents for the period from 1844 to annexation and into the statehood period.

The story of the red man in the United States has been explained in scholarly publications, in others of a trivial nature, in drama, music and the novel. For sheer understanding of a most complex story, if attainable, documents offer for the interested mind the most promising avenue toward achieving it. They deal with war and peace, trade and friendship, the way of life for Indian and white in bygone days, and sidelights on human behavior that reveal at least one constant in an ever changing world. It is unfortunate for history that Indians did not record their thoughts more often, so we

must picture them through the white man's words and documents offer the only front row seat for the viewer.

The Texas State Archive staff transcribed the documents literally and without omissions. They are to be congratulated. Despite maximum care, one wonders whether an error did creep into the text on line 1, page 3 and line 19.

*Notes on General Ashley the Overland Trail and South Pass.*

By Donald McKay Frost. Barre, Massachusetts: Barre Gazette, 1960. Pp. xii, 149. Index and pocket map. \$5.00.

This publication is a reprint from the Proceedings of The American Antiquarian Society. Chapter 1 presents a brief sketch of the Rocky Mountain fur trade, and chapters 2-8 deal with activities of General Ashley. Building on Hiram Chittenden's pioneer work, the author uses the letters of Daniel T. Potts, published in Appendix A, the narrative of James Clyman, the journal of Jedediah Smith, and newspaper accounts (Appendix B) for the years 1822-1830. The excellent discussion of the fur trade and the printing of source material in the Appendix (nearly two-thirds of the book) make this study of prime interest to students of western history.

*Forty Years Among the Indians:* A true yet thrilling narrative of the Author's experiences among the Natives. By Daniel W. Jones. Los Angeles: Westernlore Press, 1960. Pp. xvi, 378. \$8.50.

Dan Jones was a rolling stone, but a rolling stone bent on business. He participated in the founding of Utah by the Mormons, preached their Gospel in Mexico and worked among the Indians in the Salt River valley of Arizona with both religious and economic aims. His long rambling history was written late in life and allowance must be made for an occasional lapse of memory, not to mention inaccuracy of information. The original publication has long been a collector's item, so this reprint will be welcome to readers interested in westernlore.

*Sibley's New Mexico Campaign.* By Martin Hardwick Hall. Austin: University of Texas Press, 1960. Pp. xv, 366. Illustrations, bibliography and index.

This is the most intensive treatment of the Confederate invasion of New Mexico during the Civil War that has yet been published, but it is not the definitive account. The bibliography is good, but a few more items of information covering moot points might have been unearthed if other Federal archives relating to New Mexico had been consulted. The author did not find a satisfactory answer to the question why the Federal troops stationed at Fort Fillmore failed to make the march to San Agustín springs as a fighting force. The answer has been offered by other writers that the troops had filled their canteens with whiskey rather than water and thirst caused their defeat. Soldiers have marched long distances under trying circumstances, so it is reasonable to assume that the above march need not have ended so disastrously. Nor does the author explain satisfactorily the reason for Chivington's march over the mountain to attack the Confederate supply train. Was it so planned or was there another reason or reasons?

There is an occasional minor point that might be questioned, but it is not essential to do so. The book is well written and a useful addition to southwestern historical literature. The author has included the muster rolls of the confederate troops that fill over a fourth of the total pages.

It has long been acceptable practice to drop the accent on Río and Santa Fé.

*Narrative of the Surrender Of a Command of U.S. Forces At Fort Fillmore New Mexico In July, A.D., 1861.* By Major James Cooper McKee. Houston: Stagecoach Press, 1960. Pp. viii, 64. Maps and index. \$4.75.

"One of the rarest Civil War items of Texas-New Mexico action, now reprinted with added Confederate reports," so reads, and correctly, the jacket blurb. Major McKee, army surgeon, left for posterity this account of the surrender of

Fort Fillmore which historians are still belaboring in search of the truth. The limited edition of 550 copies of the reprint is a credit in appearance to the Press: "Type used for the text is Excelsior, composed on the Linotype, with handset accessories. The paper is Hamilton's Kilmory."

*A Guide to the Microfilm of Papers relating to New Mexico Land Grants.* By Albert James Diaz. Albuquerque: University of New Mexico Press, 1960. Pp. vii, 102. \$1.75.

This is a guide to the original records of the Federal Land Office, Santa Fe, New Mexico, and the microfilm copy at the University of New Mexico and other libraries. It provides a brief description of each of the twenty-three archival sections. The land grant cases are then listed by title in alphabetical order, listed by report number, by file number and case, and finally by microfilm reel number. The Archives are important for southwestern history and allied subjects, and the guide should encourage scholarly exploitation of their wealth.

F. D. R.

*The Cahuilla Indians.* By Harry C. James. Los Angeles: Westernlore Press, 1960. Pp. 185. \$7.50.

Historians and writers in general have long been guilty of ignoring the Indians of California—or writing them off as stupid, backward savages. All one has to do to realize the truth of this is to examine the major works dealing with California history or with phases of that history and one will notice the absence of material on the native Californian. When he is mentioned it is almost always with the same attitude as was held by the Spanish and Anglo-American invaders of the Far West: the California Indians are fit only to be conquered and "civilized."

It is very refreshing indeed to find a work of the quality of *The Cahuilla Indians*, written well and written, I think, accurately. Harry C. James has known the Cahuilla for many years; in fact he has come to be a part of this outstanding group of Indians. Thus he has had many first-person contacts

which enrich his narrative and make the book one which should be on the shelf of every southwestern historian and armchair anthropologist. In particular, his accounts of Cahuilla folklore and of leading Indians such as Ramona, Juan Antonio, and Fig Tree John, are very interesting and informative. The Cahuilla creation story is a very beautiful one, certainly ranking in poetic imagery with the best of mankind's creation myths.

Most writers who deal with the Indian write from the "outside" so to speak; they cannot give to the reader the "feel" of the particular Indian culture which they are describing. Mr. James overcomes this difficulty to a great extent—one comes away from his book with a feeling of having been direct contact with the Cahuilla.

Technically speaking, *The Cahuilla Indians* is not a history, although it does bring to light some aspects of the Indian past. It is more than anything else an introduction to a people, in this case, the Cahuilla. The author seeks to have the reader understand something of the Indians' way of life, of their importance in history, of their folk imagery, of their adjustment to the European invasion, and of their promise for the future. General readers will appreciate Mr. James' careful location of Cahuilla village-sites and his discussion of the differences between the Western, Mountain and Desert Cahuilla subdivisions. His story of the backgrounds for Helen Hunt Jackson's novel *Ramona* is very interesting as well.

*The Cahuilla Indians* is a small but beautifully prepared book. It is undoubtedly one of the nicest volumes published by Westernlore Press, partly because of the excellent art work of Don Louis Perceval. The illustrations are either taken from Cahuilla motifs or are depictions of the Indians' way of life. The book is also enhanced by over two dozen fine photographs, including a picture of the real Ramona.

The publisher indicates that *The Cahuilla Indians* "... is certain to remain the definitive work ..." on this tribe. I hope that this will not be true, for even though Mr. James' book is excellent indeed, it does not tell the complete story of the Cahuilla in either historical or anthropological dimensions.

It is to be hoped that one day a trained historian will consult the Spanish, Mexican and Anglo-American manuscript material and will re-create in detail the exciting past of this important tribe. Until then, and even after that event, Harry C. James' work will remain one of the best introductions to an Indian group that has been written.

San Fernando Valley State College

JACK D. FORBES

*Our Spanish Southwest*. By Lynn I. Perrigo. Dallas: Banks Upshaw and Company, 1960. Bibliography. Index. Pp. iv, 498.

*Our Spanish Southwest* is designed as a textbook and general reference work on southwest history. It is a formidable undertaking for its 498 pages. There is a set of good maps depicting Indian cultures, Spanish and foreign explorers, developing transportation and communication facilities, and national parks and monuments. The work is enhanced by sixty-nine pages of bibliography and an adequate index. Dr. Perrigo has successfully attempted to fill the urgent need for a text in southwest and borderlands history with this publication. Until a more detailed synthesis appears the present work will certainly be used.

A survey of such a vast area as Texas, New Mexico, Arizona, California and environs from prehistoric times to the present is bound to have some shortcomings. Those interested in colonial times will be disappointed with the scant one hundred and twenty pages devoted to the time area to 1821. The colonial section suffers from compressing too much data into too few pages. There are a number of factual errors, nebulous definitions of Spanish terms, and frequent typographical errors. The nineteenth and twentieth centuries are emphasized, and as a consequence, fare much better, even though the style often fails to present the information in the most interesting light. The reader interested in Indian affairs would wish for a deeper treatment and one expanded beyond the Navaho and their problems.

Many of the errors in print are obviously the fault of the

editor and his proofreaders. Pages 47, 22, 28, and the Bibliography are cases in point.

Mexico City College

RICHARD E. GREENLEAF

*Frémont's Fourth Expedition.* Edited by LeRoy R. Hafen and Ann W. Hafen, Glendale, California: The Arthur H. Clark Company, 1960. Pp. 319. Illustrations, maps, and index. ✓

John Charles Frémont is one of the most controversial figures associated with the pioneer history of the American West, as this collection of documents once again verifies. Between 1842 and 1846 he conducted three highly successful and well-publicized topographical expeditions through the Rocky Mountains and along the Pacific Coast. Then his career seemed to fall apart. The historic feud with General Kearny during the conquest of California forced the once glamorous pathfinder to "resign" from the army. Backed by his powerful father-in-law, Senator Thomas Hart Benton, and ample private funds, he set out from St. Louis in the fall of 1848 determined to find a practical railroad route to the Pacific along the thirty-eighth parallel.

The expedition consisted of thirty-three men, most of whom were veterans of Frémont's earlier ventures. In addition, there were one hundred and thirty mules, and the best equipment, instruments, and arms that money could buy. Old Bill Williams, the famous mountain man, served as official guide. Frémont subsequently attempted to cross the Sangre de Cristo and San Juan Mountains during one of the most severe winters on record, perhaps as much to remove the stigma of his recent court-martial as to prove the feasibility of a railroad route across the Central Rockies.

But the fourth expedition proved a resounding failure, and for that reason it is less well-known than the previous ones. The Frémont party got lost in the mountains and before it could extricate itself, ten men and all the mules were dead. In the resulting controversy, various participants and interested parties tried to fix the blame on someone other than themselves. Frémont claimed that his guide was incompetent

and that his men were cowardly and easily discouraged by misfortune—charges not supported by evidence.

✓ In 1955 William Brandon published an excellent narrative of Frémont's ill-fated expedition (THE MEN AND THE MOUNTAIN) based largely upon original documents relating to the episode. He fixed most of the blame upon the leader himself, plus a combination of severe weather and just plain bad luck. The documents used by Brandon, with additional miscellaneous newspaper stories, letters, and reports, have now been brought together by one of the most careful documentarians of Rocky Mountain history.

Professor Hafen has the good judgment not to clutter the various accounts of the expedition with too many footnotes. By bringing all of the available primary materials together, he has made a contribution to a very important facet of western explorations. The reader will not only be gripped by the stark drama that unfolds, though some of the narratives are repetitious, he also will have the opportunity to draw his own conclusions as to direct responsibility for the tragedy.

University of Oklahoma

W. EUGENE HOLLON

*The Life of John Wesley Hardin as Written by Himself.* Introduction by Robert G. McCubbin. Norman: University of Oklahoma Press, 1961. Pp. xxi, 152. \$2.00.

Originally published in Seguin, Texas, in 1896, a year after Hardin's death at the hands of John Selman, in El Paso, Texas, the book now republished has long since been a scarce and expensive item, eagerly sought after by rare book dealers and collectors. Assuming that he told the truth in his book, John Wesley Hardin killed many men, some with no justification whatever, others under circumstances which might have caused a lenient jury, in a favorable atmosphere, to bring in a verdict that he either killed in self defense or under sufficient provocation. Born in Fannin County, Texas, in 1853, reared in the backwash of the Civil War years, Hardin was peculiar as boy and man, even in an era when much was accepted, tolerated and forgiven in a frontier country. According to his own story, Hardin was a wayward boy, a head-



strong, unruly young man, a gambler and hard drinker as an adult, fond of owning and racing horses for high stakes, determined to have his own way in everything, regardless of the results to parents, wife, children, or society in general. Belatedly for his own good, Hardin wound up in the penitentiary at Huntsville and was confined there, still unruly and unrepentant, for many years, being finally pardoned. Apparently Hardin never suffered remorse as the result of any killing for which he was responsible. He appears to have been obsessed with the idea that he was always right, the other fellow to the encounter always wrong. Throughout the book it is made to appear that he nearly always emerged the victor in any fight, the hero of almost every incident. Consequently the book has a decided Walter Mitty flavor. Hardin grew up in a period when thousands of fellow Texans, with much less to go on in the way of education and opportunity, became respected, successful citizens. Hardin's attempt to justify his wayward conduct does not seem to measure up. No doubt a "kill or be killed" character, it is difficult to find a category for him in the southwestern album. Apparently he had no nerves and was a man of great physical strength and endurance. Was he a brave, courageous man? Reckless, daring, a swashbuckler, yes. Brave, chivalrous, no. In 1927, the McMillan Company, New York, published a reprint of the 1882 Pat F. Garrett's *Authentic Life of Billy the Kid*, with a foreword and extensive editorial notes by the late Maurice Garland Fulton, of Roswell, New Mexico. It is to be regretted that the Oklahoma U. Press and Mr. McCubbin did not collaborate in a like project. Inquiry at the Huntsville, Texas, penitentiary, where Hardin was confined for many years, might have yielded much record information, which in turn would have indicated worth while avenues of research, resulting in a harvest of interesting explanatory notes. Notwithstanding this lack, the Hardin book is a very worth while contribution, one that will be welcomed by a host of readers and collectors. Bob McCubbin and the publisher deserve the gratitude of all lovers of Southwestern history for their enterprise in publishing a valuable book at a reasonable price.

## Notes and Documents

### A PAT GARRETT ITEM

In *The Authentic Life of Billy the Kid*, Garrett devotes a single paragraph to his meeting with Mariano Leiva. According to his version, Juanito Maes approached Garrett at Puerto de Luna and offered to surrender, but was told the posse held no warrant for him. As he walked away Leiva directed a tirade of abuse at Garrett, saying that he would like to see any damned gringo arrest him. When his actions became threatening, Garrett slapped him off the porch. Leiva drew his gun and fired a wild shot, whereupon Garrett shot him in the shoulder. The desperado then fled.<sup>1</sup> This is a good story in itself, but surely a recountre with the man described by Sheriff Perfecto Armijo, of Bernalillo County, as "without doubt the worst villain within the bounds of the Territory"<sup>2</sup> deserves something more than passing mention.

Properly viewed, Garrett's account takes its place as one of three apparently unrelated incidents. The first of these was the disappearance of Colonel Charles S. Potter, a member of the U. S. Geological Survey Corps. On October 14, 1880, he left Tijeras en route to the New Placers—and vanished. By the end of the year his friends had become so concerned about his fate that they offered a reward of \$1,000 for discovery of his whereabouts if alive and \$200 for the recovery of his body if dead, but no claimant of the money appeared.

The second occurred on December 10, 1880, when Garrett and his posse rode into Puerto de Luna to deliver two prisoners, John J. Webb and George Davis, to the deputies there. While the officer was sitting in a store operated by Alexander Grezelachowski, Juan Silva (erroneously called Juanito Maes in *The Authentic Life*) walked up and offered to surrender. The balance of Garrett's account is in accord with the reports in the contemporary papers<sup>3</sup> and need not be repeated.

The third took place at Bernalillo a few days later, when officers there captured two horse thieves: Pantaleon Miera, a quondam lieutenant of the infamous Sostenes Archeveque, and Santos Benavides. Presumably the town lacked proper jail facilities, since the prisoners were confined in the home of Constable Pedro Valdez. Early in the evening of the 29th the guards were overpowered and the two thieves were lynched from a limb of a cottonwood which stood in the front yard.<sup>4</sup>

The clue that was to bring these three apparently separate and unrelated incidents into focus as a single picture was the fact that Miera had pawned a gold watch and chain. When they were recognized as having belonged to Colonel Potter, Sheriff Armijo proceeded to Ber-

1. Garrett, Pat F., *The Authentic Life of Billy the Kid*. Norman: University of Oklahoma Press, 1954, pp. 107-108.

2. *Las Vegas Daily Optic*, April 5, 1882.

3. *Santa Fe Weekly New Mexican*, December 20, 1880.

4. *Santa Fe Daily New Mexican*, December 30, 1880.

nalillo to trace the connection between the two men. His investigation cast suspicion upon one Escolastica Perea, who was promptly arrested in Isleta.

Brought to Albuquerque for interrogation, Perea promptly confessed that he had seen the crime committed, although he denied taking any part in it. According to his story, Colonel Potter had met some men on the road and they had advised him to proceed to the New Placers via a short cut which passed through Tijeras Canyon. Miguel Barrera accompanied him as a guide. Mariano Leiva hastened to the home of one California Joe, obtained arms, returned to the party, and shot Potter. After rifling his pockets they buried the body in the bed of a little stream about three miles from Tijeras. Officers promptly seized Barrera at Tejon and California Joe at Maders, and lodged them in jail at Albuquerque. On the night of January 31, 1881, a party estimated to consist of 200 men quietly entered the jail, seized the prisoners, and hung them from a wooden beam in front of the building.<sup>5</sup>

It was rumored that Leiva (Leiba, Leyba) was dead, which presumably was based on his having been shot by Garrett. However, it was eventually learned that he was hiding in the vicinity of Puerto de Luna. Officers traced him from there to White Oaks, then to Vallegos, and thence to Truchas. Each time the hunted man managed to steal fresh horses and make his escape. On the 15th of March the posse lost his trail in the vicinity of Rincon del Alamo Gordo. While they searched for it, G. M. Wilson stumbled over Leiva himself. The fugitive promptly fired, but a cartridge exploded in his Winchester, rendering it useless. An instant later he was shot in the left arm. He was taken to Las Vegas by way of Puerto de Luna and Anton Chico, speaking very little on the way except to positively deny that he had murdered Colonel Potter, even after he was reminded that he had boasted to some sheepherders of having committed the crime.<sup>6</sup>

Leiva was tried on August 18 on the charge of assault with intent to kill Garrett, found guilty, and fined \$80.00.<sup>7</sup> While this may hardly seem sufficient by our standards, at least it represents some improvement over the \$2.50 fine which had been assessed against William Smith for the attempted murder of one Waldo<sup>8</sup>—or perhaps it simply means that attempting to kill an officer of the law was regarded as a much more serious crime than was attempting to murder an ordinary citizen. At this point a difficulty arose. Leiva's presence was greatly desired at Albuquerque, where, said the *Daily Optic*, "a grand banquet of hemp awaits him."<sup>9</sup> Unfortunately, the stranglers had done their work all

5. *Ibid.*, January 30, February 1, February 2, February 4, 1881.

6. *Las Vegas Daily Optic*, March 18, 1881.

7. *Ibid.*, August 19, 1881.

8. Henry Carroll to Post Adjutant, Fort Stanton, February 2, 1879. Records of the War Department, Office of the Adjutant General, 1405 AGO 1878; Consolidated File Relating to the Lincoln County War, New Mexico. National Archives.

9. *Las Vegas Daily Optic*, August 18, 1881.

too well. With the witnesses to Potter's murder dead and buried, no one was left to testify against Leiva. However, he was still vulnerable on a charge of stealing stock, a much more serious matter than was an attempt to murder a sheriff. Found guilty as charged, he was sentenced to seven years and started for Leavenworth, Kansas, on April 5, 1882, to serve his sentence.<sup>10</sup>

Note: The writer is indebted to Warden Harold A. Cox, Penitentiary of New Mexico, for assistance in gathering data on Leiva's career.

Philip J. Rasch

#### A NEW ENGLANDER IN NEW MEXICO

Among the countless easterners who went West in the mid-nineteenth century there were several members of the prominent Wolcott family of New England. This illustrious family has included three governors of Connecticut, one governor of Massachusetts, a signer of the Declaration of Independence, and an impressive list of cabinet officials, members of Congress, generals and judges. The earliest man to bear the name in America was Henry Wolcott, who settled first in Dorchester, Massachusetts in 1630, but soon moved to Windsor, Connecticut. After two centuries of residence in New England at least one branch of the Wolcotts went West. One of them was the author of the interesting letter that follows.

In 1859 Reverend Samuel Wolcott, a Congregational minister from Yale College, moved his family from Longmeadow, Mass., to Chicago, Illinois, and in 1862 to Cleveland, Ohio. Several of the sons in the family sought more adventure and moved still further on. The most prominent member of this generation was Edward Oliver Wolcott, a railroad lawyer and powerful Republican politician in Colorado. He served as United States Senator from Colorado 1899 to 1901. Amongst some miscellaneous papers of Senator Wolcott, recently acquired by the author, there is a letter written by his eldest brother Samuel. The latter, who has no particular claim to historical remembrance, made a trip through New Mexico in 1879 and wrote at least one letter describing his experiences. This letter to an unidentified "Clara"—perhaps a relative, friend or sweetheart—gives a few interesting sidelights on conditions in New Mexico, especially on Indian life.

Frances G. Walett  
Professor of History  
Worcester, Mass.

Socorro, N. M., Aug. 20, 1879

Dear Clara,

Have always had considerable curiosity in regard to this country which lies above me on the Rio Grande and am right glad now that

10. *Ibid.*, April 6, 1882.

I decided to go home this way as it has been the means of giving me some views and experiences different from what I have ever encountered before and which the Railroad will make impossible in another year or two.

The Railroad ends at Las Vegas. From there I took a stage over the mountains to Santa Fe. The journey passed without incident but the same coach and driver on their return next day were stopped by Robbers who searched persons and baggage for money and valuables cut open the mail sacks and finally took away the horses leaving the passengers to pursue their course afoot and without money. Santa Fe is a pleasant old town very similar to Santonio [sic] Texas in population and habits of the people. No one knows how old the town is but about fifty years before the Pilgrims landed at Plymouth the Spanish took possession made Roman Catholics of the people imposed their language on them and there has been no change since then. For over thirty years it has been military headquarters and Capital of one of our Territories but the Americans have made no impression on the Mexican population.

I have often heard of palaces and at Santa Fe there exists a genuine palace over two hundred years old where the Deputies of the King of Spain used to live when Spain was the richest and most powerful Kingdom in the world. Of course I went to see the Palace. It is built of mud as in fact are most of the residences in New Mexico.

I was very much interested in a visit which I paid to one of these Indian Pueblos as they are called.

The Pueblo which I visited is called YSLETA and consists of over a hundred families which live in adobe houses of two or three rooms each crowded close together. I suppose their ancestors have occupied the houses for a thousand years. They have no chairs or other superfluous furniture. The mattresses and blankets which they sleep on at night are piled against the walls of the rooms and serve for seats during the day.

They use their own vernacular in conversation with each other but understand enough Spanish so that I could get along with them. Each family has a farm of from fifty to a hundred acres outside of the settlement and are much more industrious than the Mexicans. Everyone raises corn wheat and vegetables besides grapes pears and peaches. In each man's field there is a platform erected overlooking the whole field and a sort of canopy erected over this platform out of bushes and weeds making it shady and comfortable. All through the fruit season the women bring their sewing and sit on the platform through the day and the man himself watches at night to see that his neighbors do not get away with his fruit.

The men wear their hair long and dress in the traditional Indian custom and the women dress uniformly in a costume which is doubtless inherited. Their skirts cloak etc reach only to the Knees. below they wrap their calves with a sort of white cotton duck various folds about half an inch thick. Of course they all wear mocassins.

Yesterday the driver broke the tongue of the coach and transferred

us three passengers to an open lumber wagon. At the next station they hitched into the wagon the four powerful and fat horses which are accustomed to pull the heavy coach. The wagon weighed nothing to them. In a very few minutes they stampeded and we had a magnificent run-away for about three miles splashing through irrigating ditches and bounding along with the wagon apparently in the air most of the time. Finally I took the lines of the wheel horses and held them down in the trail while the driver threw his weight onto the lines of the leaders, the lines all held, nothing broke about the wagon and I am here to write about it. The other two passengers jumped out but nobody was hurt.

Affectionately  
Sam

Preparatory to reading the two letters below, see William J. Parish, "The German Jew and the Commercial Revolution in Territorial New Mexico 1850-1900," in the *New Mexico Historical Review*, April, 1960. F. D. R.

March 12, 1960

Wm. J. Parish, Dean  
College of Business Administration,  
The University of New Mexico,  
Albuquerque, N. Mex.  
Dear Dean Parish,

I have your letter of March 8 and am happy to give you some of the answers you requested.

In your third paragraph you ask about the relationship between Sam and Julius Freudenthal. Sam's father was Joseph who was a brother of Julius.

In the fourth paragraph you mention the biography of Isadore Elkan Solomon (by his grandson A. I. Ramenofsky). I believe you are referring to Mrs. Abe Ramenofsky, rather than her husband Doctor Ramenofsky, as I know she was the one who prepared the material you quote from. Mrs. Ramenofsky is a grand daughter of Mr. Isadore Elkan Solomon.

\* \* \*

Yours sincerely,

L. E. Freudenthal

LEF/h

May 27, 1960

Dear Dean Parish:

I just had the opportunity to read the second installment of your article in the *New Mexico Historical Review* on the German-Jew. I enjoyed it thoroughly. It is extremely well written and brought out

many interesting aspects of the effect of these immigrants on life in the territorial days.

I note that I made an error in my memorandum of March 2 wherein I stated that Adolph Jacoby founded a business in "Paraje, now called Colorado." I should, of course, have said the business was founded in Colorado, now called Rodey.

There are a few minor points which you may wish for your records.

- (1) My father, Phoebus Freudenthal, was active in political life in Dona Ana County, serving seven terms as County Treasurer.
- (2) Your table No. 3, Page 133, does not include Julius Freudenthal who was in business in Belen in the early 1840's, thereby being one of the first in this area.
- (3) Julius Freudenthal was married in Belen to a Miss Bazan of Mexican-Spanish descent. I note there is a Bazanville on the outskirts of Belen. I do not know if there is any connection with her family.
- (5) I believe that I wrote you previously that your reference to "A biography of Isador Elkan Solomon by his grandson A. I. Ramenofsky" is incorrect. The biography was prepared by his granddaughter Mrs. A. I. Ramenofsky.

With Best Wishes

Yours sincerely,

L. E. Freudenthal

LEF/h

---

The following correspondence will be of use to those who have occasion to read James Colquhoun, *The Early History of The Clifton-Morenci District*. Printed for Private Circulation by William Clowes and Son, Ltd., London and Beccles. F. D. R.

Prof. Frank D. Reeve  
Library Building 211  
University of New Mexico,  
Albuquerque, N. Mex.  
Dear Professor Reeve,

I have delayed answering yours of March 11 until I was able to secure a copy of the "Early History of the Clifton-Morenci Mining District" by James Colquhoun. This is a gift to you from Mrs. Helen Katz, West End Avenue at 95th Street, New York 25, N.Y. I trust you will send her an acknowledgment of the gift. Mrs. Katz, for your information, is the daughter of Charles Lesinsky, who was a brother of Henry Lesinsky. I am sending the book under separate cover.

I am also enclosing the original letter from the author to Mrs. Katz,

dated February 1935 and a letter to me from Leo Lesinsky, brother of Helen Katz, who expresses some interesting comments about the book.

\* \* \*

Yours sincerely,

L. E. Freudenthal

h/LEF

enc. 2 letters.

cc. Mrs. Helen Katz

West End Avenue at 95th Street,  
New York 25, N.Y.

Hotel Marcy

West End Avenue at 95th St.

New York 25

April 5/60

Dear Louis,

I am sending here with the copy of Colquhoun's book you asked for. You will see that it was sent to Helen 25 years ago.

I have just re-read the book and I think that the author has not always stuck to the facts. Henry Lesinsky's part in the development of the mines is exaggerated at the expense of Julius Freudenthal and my father. I know that he did not arrive on the scene until Julius and Charles were there—he says so himself in his letters to his son, Albert, which Albert published privately.

As for the amount received for the mines, my father often told me that they did not receive the entire \$1,200,000. And it was not divided equally between Julius, Henry & Charles. Charles received \$250,000, and the balance was divided between Julius & Henry, Julius receiving the larger amount.

\* \* \*

Love from Helen &

Yours truly,

Leo L.

Hotel Del Monte

Del Monte, California

11th Feb. 1935

My dear Mrs. Katz,

Many thanks for a very charming letter of appreciation, which gave me something pleasant to think about.

I am so glad that the tribute which I paid to your father and to those who were with him has been received in such a nice spirit.

Believe me

Yours sincerely

James Colquhoun



Mesilla Park, New Mexico

March 6, 1960

Dear Frank:

\* \* \*

The articles dealing with this part of the state in the last issue of the Historical Review were far from inspired. The site of the marker designating the Battle of Brazito is correct. Neither the Conklings or Mr. Anderson consulted the maps of the Brazito Grant made by Stephen Archer in 1856 for the benefit of the court and at its order for adjudication of ownership. The old buildings at that place and the relics of the battle were still visible in 1903 when the Grant was sold in subdivided farms. The promoters, Galaher and Edwards, marked the spot on the highway opposite the battle. Locally it is known as the battle of Temascalitos since it was fought near a collection of Apache bathing huts. That name does not come from the peaked mountains some six miles away.

In its first installment, the article on Jewish merchants is applicable only to that portion of New Mexico north of Socorro. South of that place, merchandising was usually a means of financing mining, ranching or land development or a combination of the three. The Lesinskys, Freudenthals and Frank Winston are notable examples. A notable omission among the names was that of Louis Rosenbaum who, after making a fortune in New Mexico, went east and took over a little gyp firm of Sears and Roebuck which he made respectable and prosperous. The Lohmans are mentioned but they were not Jews.

\* \* \*

Sincerely,

Adlai [G. A. Feather]

At Sea—

6 June 1960

Prof. F. D. Reeve  
Univ. of New Mexico  
Library Bldg. 211  
Albuquerque, N.M.  
Dear Professor Reeve,

Due to the throes of moving back to the States, I am quite late in replying to your letter of 3 May. Indeed I have no objection to your publishing my letter agreeing with Armstrong's conclusions as to the location of the Brazito battlefield.

This is the sort of sincere disagreement that often produces information sources generally unknown. I am very interested in hearing the basis of Mr. Feather's exceptions to Mr. Armstrong's deductions—and also mine. Maybe he has dug up something which we should all be interested in if it assists in solving this fascinating historical question. I myself spent several years digging into everything I could find relative to Brazito, rode and walked over most of the ground between Berino

and Mesilla Park for many years, and based my conclusion on three independent areas of investigation: accounts of distances by participants on both sides, matching terrain descriptions by participants on both sides with the actual terrain, and restitution of the course of the Rio Grande in 1850 on to a modern map to see where the significant bends of the river 100 years ago would be located today. All three lines of investigation came to about the same area—just north of present day Berino.

I think that it is a fine thing, that after so long some interest has been aroused in one of New Mexico's landmarks and especially since it is the only one related to a conflict in the Mexican War. I'll be visiting the Mesilla Valley area within two months and plan to see Mr. Feather—maybe one of us can persuade the other he's right.

Sincerely,

George Ruhlen  
Col US Army

N55n

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## Editors

FRANK D. REEVE

PAUL A. F. WALTER

## Associates

PERCY M. BALDWIN

GEORGE P. HAMMOND

FRANCE V. SCHOLES

ELEANOR B. ADAMS

BRUCE T. ELLIS

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# NEW MEXICO HISTORICAL REVIEW

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VOL. XXXVI

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No. 2

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## A RIDE FROM GERONIMO, THE APACHE

*By* NELLIE BROWN POWERS

NATURE'S skilled Hand never placed among the wild beauties of the far West, a lovelier spot than the little nook called the Double Spring Ranch, located in southwestern New Mexico, where my family were living in 1885. The home ranch land lay in a small basin, which was carpeted with green luxuriant grasses and studded with the most beautiful of wild flowers. Rock-ribbed mountains and towering peaks, like an irregular broken wall, shut in this lovely valley as though it were an Eden which should have been guarded forever from the foot of man.

Nearby were the Mogollón Range of mountains, and about three miles away the Gila River flowed, rushing as fast as a horse could trot, through an immense canyon, the walls of which were so high that when viewing the river from the top rim, it looked as though I could step across it.

There were two log cabins and a stockade corral on the ranch. Fred and Darius, my two older brothers, lived in the smaller of the two cabins, down near the corral. I, a young lady of eighteen years, lived with my parents, Henry and Sally Ann Brown, in the more pretentious large log cabin, which consisted of two bedrooms and a large living, cooking, and eating room.

This large room had a large open fireplace and when the evenings were cool it was a delight to pile the piñon knots into the fire and hear them crackle. There was also a piano in this room. The piano had been shipped from the east, and the Atchison, Topeka and Santa Fe Railroad had brought it to Magdalena. It had been hauled across the plains of San

Augustine to the ranch. I loved to play the piano and the boys were good singers. After Mother and I were through for the day with the household duties of cooking, she would pick up her knitting and with a warm fire blazing on the hearth my brothers would sing while I played the piano. *Come Back to Erin, Carry Me Back to Old Virginny* and *Sweet Violets* were always favorites with the boys.

During the daytime Fred, Darius and father were busy with usual ranch duties. Timber was plentiful and there were numerous silver aspens and tall pines. They had built a fine stockade corral and were busy with fence building and cattle raising.

At the side of the large cabin, a cascade of water came leaping down from a large spring, throwing its crystal spray in the sunlight, until the air seemed filled with a shower of diamonds. Below the cabin, the running water met another little stream which came from a smaller spring. The two streams became a sparkling purling brook which in its onward flow filled the air with the rhythm of lapping waters. The brook, in its downward flight, became a creek which flowed a mile below us into a stupendous canyon. The two springs gave inspiration for the name of the ranch, the Double Spring.

In this year of 1885, we were about one hundred and thirty miles from a railroad, eighty miles from the nearest post-office, and fifteen miles distant from our nearest neighbors, who lived on the N-Bar Ranch, yet no thought of fear or danger ever entered my mind.

Many a day I rode on my little mustang pony and followed trails up and down from the Gila River, in places where the pony, because of the steepness of the terrain, would cross his front feet. At other times I would walk off with my faithful dog, Bringer, and with my small pearl-handled Smith and Wesson six-shooter, I would practice hitting a mark.

With the mountains, the clearest of atmospheres, the brightest of skies, and the fairest of landscapes, this place was ideal for Sunday worship. Bringer seemed to know when it was Sunday and he would start on ahead of us as we went to God's Church, the great out-of-doors, under His blue sky to

a place near the Gila River. Father would read from the Bible and there would be prayers. The Lord was Our Shepherd.

One morning, very early, I heard a horseman ride by our cabin very fast. He stopped at the little cabin below us where Fred and Darius slept. Soon after we had heard the sound of hoof beats, my brother Fred knocked urgently on our cabin door. I heard father quickly answer the knock and as Fred came in the door he said, "Get up quick, the Apaches are at the N-Bar ranch, only fifteen miles away, coming this way, and we must get out of here!"

We got up in a hurry, but our faces were white and our hands trembled as we dressed. We looked around the ranch for means of escape, but the harness for the two horses father drove with the buckboard was away at the Gila ranch and no one dared leave to go after it. The next move was to cut off the rooster's head, for Chanticleer could make no sweet music to our ears on such a morning.

It was then suggested that we all go up to the old fort, located on a high hill close by. We would build it up as best we could, take our ammunition and provisions and stay there. We set out as soon as possible for the old fort with as agile footsteps as the red-skins could have made.

We stayed at the old fort two days, keeping at all times a sharp look around. At the end of the two days, two cowboys driving a herd of cattle put in an appearance. Fred met them and told them of the horseman's story. The cowboys thought that we had listened to an unfounded rumor. They said that the Apaches were not off the reservation.

We believed the cowboys' story and went back to the cabins. The boys were soon busy chopping down trees and building fences, never stopping to think how far the ring of a woodsman's ax could be heard.

At the end of another three days Fred saddled up and packing another horse, he set out for Kingston to get the mail. One day, and the early part of another, slipped by when all at once our little valley was full of horsemen, about thirty in number. Their panting horses showed how hard they had ridden.

Fred had met the horsemen after he had traveled part way to Kingston for the mail. They told him they were glad to see that he was alive, and that they were on their way to see if the Browns were still alive, for Geronimo and his *braves* were on the warpath.

Fred's eyes streamed with tears of joy that we were alive and safe. His lips told us of the deeds of murder, blood-shed, and pillage that Geronimo and his painted demons had committed. Though greatly perturbed, Fred had thought to bring back the harness for the two horses which father drove with the buckboard.

We were almost the last settlers who had not left the country for places of safety in the towns. By this time the country was full of Indians, and there had been much speculation as to whether we at the Double Spring Ranch were among the missing ones.

With an old Indian fighter, Mr. Judge Moore, at their head, these horsemen had determined to come after us. Uncle Sam, also, had his troops scattered around, and, no doubt, if those beautiful cavalry horses could have stood the climate, Geronimo and his Indians would have been soon rounded up and captured. The U. S. Cavalry horses could not follow a trail day after day like the native pony, and they soon hobbled and numbers of them died, and I think some of the soldiers lost their lives.

"A squadron of cavalry riding slow  
Crosses the plains in search of the foe,  
Which rides ever ahead.  
The red man's trail may be plain to the eye,  
And hunters may chase as the crow doth fly—  
They will ever be led,  
For the red man rides with lightning speed.  
No rest for rider, no rest for steed—  
"Till the hidden lair is won.  
The soldier in chase may tire or fall,  
Worn by the race, or struck by a ball,  
Leaving his work undone."—Anonymous

We soon had our preparations made to leave the Double



Spring. The doors and windows of the cabins were boarded up and nailed shut. An inscription, "*Look Out for Indians*" was nailed on the door, so that if any lone cowboy or prospector came that way he would be warned.

According to orders, the company was to be divided. Part of the horsemen were to go ahead, and part were to follow. Father and mother, riding in the buckboard, and I on my pony were to be in the middle of the two groups of horsemen. *No one was to shoot unless they saw an Indian.*

I turned for one last look at the beautiful peaceful little valley, in whose bosom we had started our home. I whistled for Bringer, who for some unaccountable reason could not be induced to leave the cabin door. Afterwards, I often wondered if the coyote that used to come out in the open and howl so much, knew what became of him. You would have thought there was a pack of fifty coyotes when you heard that one howl.

Our first stop after leaving the Double Spring Ranch was Indian Springs, five miles from the ranch, where we saw moccasin tracks. This place was probably the nearest they had come to us on the ranch. We went on through canyons and over hills and around rocks with but one thought in our minds, and that was to find a place of safety. We rode all day long under the turquoise sky and we saw no one. Once we ran into a heard of antelope on a mesa, but they were anxious to put space between us, and their nimble feet took them off in a hurry.

Just before sunset, we espied a little cabin off the main road, to our left. We did not intend to stop here, but the leaders of our little band decided to investigate the premises and see if there were any signs of Indian work. The signs were instantly noticeable. The owner of the little mountain home lay dead on his own woodpile. All that was left of any worth was his own gun leaning up against a large leafy pine some forty yards from the cabin. This was mute evidence that the stealthy sneak had come between the man and his only defense.

This man had been the owner of a fine time-piece, a large clock. The clock had been torn apart and most thoroughly

dissected. The clock had so intrigued the red skin that the man's gun went unnoticed or forgotten. Later we heard of an Apache who wore a long string of clock wheels for ear-rings.

It was determined that the dead man's name was Papanauh. The men dug a grave and buried the body. I wish I could forget the horror and anguish of that sad funeral. Though the Almighty seemed to breathe with us in our prayers and fears, we were shocked and terror-stricken by the murderous death.

We would not, dare not, stay there so pushed on up one slope and down another until we had crossed the Continental Divide. Soon after, we drew rein at the Adobe Ranch to rest, as best we could, through the night. The Adobe Ranch was a deserted shambles and had been torn all to pieces.

The moon came up and the night seemed almost as bright as the day. An old newspaper was handed to me, and I found I could read common print quite readily. The horses munched their feed and in the silvery gleam of moonlight we could see the landscape for miles around us. The scenery was richly colored, picturesque, and magnificent. Soon we saw a fire appear on one of the high hills and then another quite a distance away. The old Indian fighter told us these were Indian signal fires, set by the Indians as a means of communication between marauding bands. The wonder of that anxious night lives vividly in my memory, as I was most alert.

Day dawned and we saddled up and took the trail which led through Corduroy Canyon. It was thought that if any danger was to be faced, it would be in this Canyon. It was said that possibly Indians were awaiting us here. It was a likely place for an ambush, so the directions were given to ride fast. If any shots came our way, our safety would lie in the speed of a fast ride. A sense of urgency seemed to hover over us.

The clatter of the horses hooves on the solid rock of the canyon floor and the noise created by the old bake-kettle, which had broken loose in the back of the buckboard, and was rolling back and forth, back and forth, created a terrific din. While the kettle continued to roll back and forth in the back of the buckboard, and the buckboard was proceeding at full speed ahead, with father holding the reins, a shot rang out!

Immediately following the shot, the command, "To the Hills, To the Hills for your lives!" was shouted. The mustangs in the rear of the group scaled the walls of the canyon up over steep rocks where it would seem a man could scarcely climb, if on foot. The riders held their guns in their hands ready to shoot the instant an Indian was sighted. A saddle girth broke, then the pony bucked and off went his rider, saddle and all, in a heap. The bronc with head up charged away.

I leaned over and patted my pony's neck and he replied with a low neigh. I reached in my saddle pocket for the little six-shooter. My hand did not tremble now as I cocked it, for I thought, "I'm in for it, I'll fight, but I'll die game—like an American girl."

This all happened in less time than it takes to tell it, and no Indian appeared on the scene. One of our party who had ridden very fast and was far ahead, now came riding back in a rush, to tell us that his gun was discharged by accident. We began to breathe more freely.

After a hard chase, the men captured the unruly pony and gathering the procession together again, we proceeded all day without further interruption.

Away ahead of us, we saw the little mining town of Fairview appear in the distance. The people were waiting for us with that open-hearted hospitality which exists in a new country.

(Dear (?) old long-gone-Geronimo, I have always been thankful that my scalp never came to rest as an ornament for your belt. I have heard that red was your favorite color, and my hair was a lively curly red.)

A nearness of five miles to the Apaches was a plenty, and though I have since heard that Geronimo had a change of heart, I would not care to play the game of running from the Apaches, again.

I will never forget that just as the sun went down on May 28, 1885, I slid from my saddle into my brother's arms with such a sense of weariness and complete exhaustion that I fainted away. Even so, my brother Darius said, "Nell was the grittiest girl in all New Mexico Territory during the Indian raid of 1885."

*A Tribute to Geronimo*

"The grandest old pagan this continent has produced was Geronimo, the Apache, who has at last gone to the Happy Hunting Grounds, where he may expect a lot of trouble. In all the annals of the human race there is no finer picture of a brute. If there is anything in the theory of the transmigration of souls, Geronimo must have descended from a Bengal Tiger, although that seems hardly fair to the tiger.

There is nothing admirable from a civilized standpoint in the life of this man, but as an exemplification of the powers of a human being at his worst, he is an interesting study. He played the game to the limit without restrictions and, judged from his own standards of ethics, was a success, as the bleached bones of thousands of his victims testify. There need be no mock heroics over his death. He was a bad man, a worse than useless man. A man who could be spared and who ought to have been spared about eighty years ago."

*Philadelphia Enquirer*

\* \* \*

The story, "*A Ride from Geronimo, the Apache*," was written in February 1909, by my mother, Nellie Brown Powers. Mother was of Scotch-Irish-English descent and, after reading this *Tribute*, she was moved to put into words her own story, which is, to quote mother, "*As truly and correctly written as I could dig it up from the recesses of my memory.*"

The old Indian fighter, Mr. Judge Moore, was the oldest brother of Carrie Nation.

Isabel Powers Crutchett

4827 Lomitas Dr.  
San Diego 16, Calif.

[A point of view of bygone days. Would that the Redman had written too. F.D.R.]

## PASCUAL OROZCO: CHIHUAHUA REBEL

Episodes in the Mexican Revolution, 1910-1915

By PAIGE W. CHRISTIANSEN\*

Before the nature and character of the Mexican Revolution can be fully understood, the men, their motives, their actions, and their characters must be sorted out, understood, and then fitted back into their historical context. To know only the major leaders, presidents or presidential candidates, or only the major revolutionary plans, is to ignore the very essence of the Revolution. This movement, which began in 1910, is too important to Mexico and all of Latin America to rest upon inadequate historical knowledge. The story of Pascual Orozco, Jr., storekeeper, mule skinner, freighter, general, and bandit, is an example of one man of the Revolution who is known and yet unknown. Deeply influenced by regional factors and by his environment, Orozco became the symbol of revolution to many of the people of Chihuahua.

On the evening of November 19, 1910, in the village of San Isidro, Chihuahua, Pascual Orozco pronounced himself in rebellion against the government of Porfirio Díaz.<sup>1</sup> This was part of a chain of events that resulted in the crushing of federal forces in the state of Chihuahua and finally in the collapse of the long Díaz dictatorship. It was also the beginning of a short but brilliant career for Pascual Orozco, whose subsequent actions had a direct bearing on the success and fall of Francisco Madero and Victoriano Huerta. The story of Orozco is also, in part, the story of Chihuahua during the chaotic period from 1910 to 1915.

A brief background will help set the stage for Orozco's activities. Northern Mexico was the natural theater for staging the revolt against Díaz, and Chihuahua was especially well suited as the battleground. The proximity of the United

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\* Assistant Professor of Humanities, New Mexico Institute of Mining and Technology, Socorro, New Mexico.

1. Juan Gualberto Amaya, *Madero y los auténticos revolucionarios de 1910* (Mexico, 1943), p. 103; Gustavo Casasola, ed., *Historia gráfica de la revolución, 1900-1940* (Mexico, n.d.), I, 210, says Orozco pronounced on November 20; Joaquín Márquez Montiel, S.J., *Hombres célebres de Chihuahua* (Mexico, 1953), pp. 220-222.

States border, the presence of a frontier society, the remoteness of the northern states from Mexico City, regional economic interests, and the importance of the main line railroads which traversed the north, all played a role in centering revolutionary activity in this area. Added to these general considerations was the agitation of the Mexican Liberal Party which had resisted Díaz for many years.<sup>2</sup>

By 1908, political and economic conditions across northern Mexico had reached a critical stage. To further complicate the situation a financial crisis and recession in the United States reached Chihuahua in June, 1908, causing serious unemployment. There followed a number of incidents which were to leave the northern border, particularly Chihuahua, in an extremely nervous and tense state. On June 19, twenty Mexicans were arrested at Casas Grandes for a proposed plan to seize the Union Mercantile store at Dublán and the Ketelsen and Degonau's store at Casas Grandes. Both establishments had substantial quantities of arms and ammunition in stock.<sup>3</sup> The same day arrests were made at Nueva Casas Grandes. Among those arrested was Santa Ana Pérez, who had led several attacks on the Palomas, Mexico, customs house in 1893.<sup>4</sup> Nineteen of those arrested were indicted for revolutionary activity June 21. The rest, including Pérez, were released.<sup>5</sup>

Three other serious raids took place toward the end of June, 1908. One at Villa Viesca in Coahuila, where raiders robbed the post office, bank, and express office and fled toward

2. For general conditions and events leading to the 1910 rebellion see U. S. National Archives, Marion Letcher, consul, to W. J. Bryan, Sec. of State, Chihuahua, Mexico, October 17, 1913, file No. 812.00/9484, in Bancroft Library Microfilm Collection, Cumberland Film. Hereafter microfilmed Ms. from this collection will be cited as *National Archives* with appropriate Ms. information. For a discussion of the whole problem of the free zone, free ports, economic conditions, and northern sectionalism see Ulises Irigoyen, *El problema económico de las fronteras Mexicanas* (Mexico, 1935), 2 vols., passim. For a detailed account of the activities and political ideas of the Flores Magón brothers see Myra Ellen Jenkins, "Ricardo Flores Magón and the Mexican Liberal Party, 1900-1922," unpublished Ms., The University of New Mexico, Albuquerque, 1953. Some of the violence in Chihuahua is described in Charles Kindrick, consul, to William Day, Asst. Sec. of State, Ciudad Juárez, Feb. 17, 1898, in U. S. National Archives, Microfilm Publications, Consular Dispatches, Ciudad Juárez, Mexico. Hereafter cited as *Microfilm Publications* with appropriate information.

3. *The Mexican Herald*, Mexico City, 1898-1914, daily, June 20, 1908. Hereafter cited as *Herald*.

4. *Ibid.*, June 20, 1908; Thomas Cattam Romney, *The Mormon Colonies in Mexico* (Salt Lake City, 1938), pp. 310-314.

5. *Herald*, June 21, 1908.

Torreón. Torreón was placed in a state of emergency and 1,000 federal troops were placed in the field to pursue the raiders.<sup>6</sup> At Las Vacas, across the border from Del Rio, Texas, a group of Mexican rebels, organized and armed in the United States, attacked the federal garrison. They immediately returned to the United States, closely pursued by Mexican police.<sup>7</sup> On June 19, a small band of twenty to forty men made an attack at Casas Grandes. This same group attacked Palomas June 30. There was some evidence that this group was organized in the United States since a band of Mexicans was reported seen near Columbus, New Mexico, prior to the attack.<sup>8</sup> For the most part these disturbances were not rebellions but rather protests of hungry and jobless men easily persuaded to violence.

The uprisings or raids of 1908, minor though they were, succeeded in stirring up and increasing the general unrest, and coupled with the growth of the anti-reelection movement, they set the stage for open rebellion in Chihuahua. A cause was needed, and a leader. Madero became the symbol and inspiration, but real leadership in Chihuahua was to rise from among the many men who led local rebellions in November, 1910.

The pronouncement of rebellion by Pascual Orozco at San Isidro was only one among many such declarations issued in Chihuahua on November 19 and 20, 1910, in answer to the call of Madero and in the name of the Plan of San Luis Potosí. Near San Andrés, Chihuahua, Cerferno Pérez, Francisco Villa, and Cástulo Herrera declared their rebellion and moved to attack San Andrés, a main point on the Mexican North-western Railroad. In Parral, Guillermo Baca, Pedro T. Gomez, and Miguel Baca Ronquillos, supported by three hundred men, temporarily drove federal troops from the city. In Temosáchic, Chihuahua, José la Luz Blanco "pronounced" and moved to join Orozco near Ciudad Guerrero, Chihuahua.<sup>9</sup> There were also uprisings near Casas Grandes and Ojinaga.

6. *Ibid.*, June 26 and 27, 1908.

7. *Ibid.*, June 28, 1908.

8. *Ibid.*, July 1, 1908.

9. Amaya, pp. 105-108; Casasola, I, 213-215; Alfonso Taracena, *Mi vida en el vertigo de la revolución Mexicana: anales sinticos* (Mexico, 1936), p. 102.

For the most part these small isolated groups were unable to hold their initial gains, and there was little or no conscious co-operation between them.

To successfully follow the rise of a revolutionary leader in Chihuahua it is necessary to return to San Isidro and the activities of Pascual Orozco. He did not hold leadership alone at the beginning of action in the District of Guerrero, Chihuahua. Don Albino Frías, Sr., claimed equal or predominant leadership, which was respected by Orozco. Their first action came on November 19, 1910, and was aimed at Miñaca, Chihuahua, which they captured with ease. Frías was in command at Miñaca and Orozco second in command. Victor Amaya, an eye witness historian to many of the events of the 1910 revolution, called Frías "the first chief of the revolution in Chihuahua." From Miñaca, the small column counter-marched to San Isidro which fell to them on November 20. With two minor objectives taken, and their forces growing, Frías and Orozco ordered an attack on Ciudad Guerrero. The initial assault against this stronger federal garrison was repulsed but the rebels surrounded the town and prepared for further assaults.<sup>10</sup>

The forces of Cástulo Herrera and Francisco Villa unconsciously aided this campaign. Colonel Yépes, moving from Chihuahua City with reinforcements for Ciudad Guerrero, was ambushed on November 23 at San Andrés by the forces of Herrera and Villa.<sup>11</sup> While the federal column was not destroyed, it was forced to halt its advance on Ciudad Guerrero, stopping at Pedernales.<sup>12</sup> Villa and Herrera continued toward Chihuahua City after their partial success at San Andrés. They penetrated as far as Santa Isabel before they were turned back and dispersed by General Juan Navarro who was moving west with a large force to put an end to revolutionary activity in western Chihuahua.<sup>13</sup> Villa and a few of his men hurried across country toward Ciudad Guerrero to join a junta of revolutionary leaders suggested by Orozco.<sup>14</sup> The

10. Amaya, p. 104, 110; Casasola, I, 210.

11. Casasola, I, 214-215; Taracena, p. 102.

12. Casasola, I, 214-215.

13. Amaya, p. 108.

14. Casasola, I, 213-214.



timely independent action of Villa and Herrera at San Andrés allowed Frías and Orozco to consolidate their forces for a final assault on Ciudad Guerrero.

Learning of the movements of Navarro, Frías dispatched Orozco to Pedernales with a small force to stop or delay the federals while pressure was continued on Ciudad Guerrero. Orozco set a successful ambush on November 26, and completely routed the advance guard of Navarro's column along with the remnants of the federal forces that had been waiting at Pedernales for aid.<sup>15</sup> Another victory secured, Orozco returned to Ciudad Guerrero bringing additional supplies captured at Pedernales. With the aid of these supplies the rebels launched a successful attack against Ciudad Guerrero on December 4, 1910.<sup>16</sup>

Following the fall of Ciudad Guerrero, Albino Frías relinquished his leadership in favor of Orozco. Upon taking full command of rebel forces in the District of Guerrero, Chihuahua, on December 6, Orozco issued a manifesto to the nation in which he dedicated himself and his men to the Madero cause and called for the complete overthrow of the Díaz government.<sup>17</sup> Orozco's manifesto was the first formal document issued by the revolutionary forces actively fighting against the federal army and Mexican police.

The success of the rebel forces under Frías and Orozco had an importance way out of proportion to the amount of men and equipment employed. They were not military engagements between armies, but rather skirmishes between small rebel bands and isolated federal detachments. They were, however, of major importance for the future of the revolution. That they succeeded while other revolutionary activity generally failed magnified the importance of Miñaca, San Isidro, Pedernales, and Ciudad Guerrero. Initial success had been attained at Parral, San Andrés, Ojinaga, and other spots of rebellion in Chihuahua, but in no case were the rebel groups able to consolidate their victories. Shortages of arms, ammu-

15. Amaya, p. 108.

16. *Ibid.*, p. 108; Casasola, I, 211, says that the first armed triumph for the Madero revolution was accomplished by Orozco at Ciudad Guerrero.

17. Francisco Ramírez Plancarte, *La revolución Mexicana* (Mexico, 1948), pp. 232-233 n; Amaya, p. 110.

nition, and food supplies quickly caused their collapse. Orozco was also faced with serious supply problems after taking Ciudad Guerrero, and it is a credit to his ability as a leader that he was able to hold his forces together when they had little to sustain them in any kind of military action.

Orozco's succession to leadership in the District of Guerrero, coupled with his success against federal troops, drew the harassed remnants of other revolutionary bands into his camp. Men like Francisco Villa, Cástulo Herrera, and José la Luz Blanco, along with their followers, came together under the command of Orozco to form a loose military unit.<sup>18</sup> The first action of elements of this enlarged command was at Cerro Prieto where forces under Orozco and Francisco Salido attacked federal troops commanded by General Navarro. The fight at Cerro Prieto was the first in which rebel forces could be called an army with a chain of command and a predetermined battle plan, informal though it was. The fight also set a precedent: prisoners were not taken alive by either side. The battle was lost, but the "army" of Chihuahua retained its character and its discipline. The rebels were forced to retire to their strongholds around Ciudad Guerrero.<sup>19</sup>

During January, 1911, Orozco, still centering his activities around Ciudad Guerrero, met federal troops in several engagements. They successfully ambushed a federal column at Mal Paso January 2, la Luz Blanco co-operating with Orozco in this attack.<sup>20</sup> On January 7, Orozco attacked a military supply train at Miñaca which was to supply General Navarro, who was marching on Ciudad Guerrero. Although this deprived Navarro of needed supplies, Orozco realized that he would be unable to maintain his position at Ciudad Guerrero and he ordered a retreat into the mountains of western Chi-

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18. *Bakersfield Californian*, Dec. 13, 1910; A letter from Orozco to Francisco Salido indicates this loose association and their method of operation, Orozco to Salido, Pedernales, Mexico, Dec. 11, 1910, trans., in U. S. Department of State, *Papers Relating to the Foreign Relations of the United States* (Washington, 1863-194-), 1911, 412-413. Hereafter cited as *Foreign Relations* with appropriate date.

19. *Bakersfield Californian*, Dec. 14, 1910; Casasola, I, 224; Pascual Ortiz Rubio, *La revolución de 1910, apuntes históricas* (Mexico, 1929), p. 177.

20. "Survey of the World," *Independent*, LXX, 7 (Jan. 5, 1911). Hereafter cited only as *Independent* with proper issue; Taracena, p. 104; Ortiz Rubio, p. 177; Márquez Montiel, p. 222.

huahua.<sup>21</sup> There Orozco managed to maintain his forces in relative safety from attack, and he accumulated a store of arms and ammunition which filtered down from Madero's agents in the United States.<sup>22</sup>

The success of the revolution was seriously in doubt during the waning weeks of 1910 and January 1911. Most of the initial victories by the rebels had been dissipated, and federal authorities were confident that the pocket of resistance in Chihuahua would soon collapse. The small rebel successes which had been accomplished were of Orozco's doing. His greatest achievement was that he maintained an "army" at all. Madero, in whose name he fought, was still in the United States and could see little cause for entering Mexico as provisional president and symbol of a revolution that barely existed. The future success of the revolt was in the hands of the ex-storekeeper and freighter, Pascual Orozco, who was optimistic and preparing for new assaults on the Díaz dictatorship.

By early January, 1911, Orozco was recognized by most observers as the military commander of the revolutionary forces in the state of Chihuahua, and the revolution was being given a chance in some quarters.<sup>23</sup> In mid-January, Orozco had sufficient supplies and circulated rumors that he was ready to attack Chihuahua City. This was a feint, and rebel forces moved toward Ciudad Juárez.<sup>24</sup>

The first rebel attempt to take a major border point, always a key part of their strategy, was under way. After several skirmishes with federal troops in the mountains of northwestern Chihuahua, Orozco decided to split his forces, sending one column along the Mexican Northwestern Railroad, the other, under his command, along the Mexican Central Railroad.<sup>25</sup> By February 3, Orozco felt that he had sufficient control of the approaches to Ciudad Juárez and informed

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21. *Herald*, Jan. 8, 1911; *El Correo de la Tarde*, Mazatlán, Sinaloa, Mexico, Jan. 10, 1911; Taracena, p. 109.

22. Abraham Gonzales, leader of the anti-reelection party in Chihuahua and staunch *Maderista*, was perhaps the most active of the agents that supplied arms and supplies to the rebels in Chihuahua.

23. *Herald*, Jan. 5, 1911.

24. *Ibid.*, Jan. 25, 1911; *Independent*, LXX, 222 (Feb. 2, 1911).

25. Casasola, I, 226; *Independent*, LXX, 222 (Feb. 2, 1911).

the mayor and the foreign consuls that he would begin a bombardment that afternoon.<sup>26</sup> Failure of expected reinforcements caused him to hold off, and on February 5, Colonel Rábago and some three hundred men fought their way through rebel lines and reinforced the federal garrison. This addition to federal strength discouraged Orozco, the more so when he heard that additional federal troops were being rushed from Chihuahua City. He gave up the attack and retreated south, down the Mexican Central Railroad.<sup>27</sup> On February 14, General Navarro with 1,500 troops entered Ciudad Juárez.<sup>28</sup> The first substantial effort of rebel forces to take a port of entry had failed, but there was no doubt that a disciplined rebel army was operating in Chihuahua.

The withdrawal of Orozco from Ciudad Juárez placed Madero in an awkward position. It was evident that Orozco had assembled an army capable of concerted military action. There were those among Madero's advisers who felt he should be with the troops in Mexico so he could assume true leadership in fact as well as in name. There were others who thought it would be dangerous to the revolution for Madero to enter Mexico until there was more positive evidence of success. The former position won out and on receipt of the news of Orozco's withdrawal from Ciudad Juárez, Madero apologized to Orozco and his men for his absence.<sup>29</sup> On February 13, Madero entered Mexico at Zaragoza, fifteen miles southeast of Ciudad Juárez.<sup>30</sup> Orozco and his forces returned to their mountain strongholds west of Chihuahua City where they were joined by Madero in the latter part of February.<sup>31</sup>

The meeting of Madero and Orozco brought together for the first time the symbolic leader of the revolution and the active military commander. It was hardly a case of mutual admiration. Madero had no knowledge of or appreciation for the capabilities of Orozco, and he brought with him a com-

26. *London Times*, Feb. 4, 1911; *El Correo*, Feb. 6, 1911.

27. *El Correo*, Feb. 7 and Feb. 14, 1911; *Herald*, Feb. 9, 1911; Casasola, I, 229.

28. *Independent*, LXX, 281, 330, 380 (Feb. 9, 16, 23, 1911); *London Times*, Feb. 16, 1911.

29. Charles Cumberland, *The Mexican Revolution: Genesis Under Madero* (Austin, Texas, 1954), p. 129.

30. Casasola, I, 230.

31. *El Correo*, Feb. 14, 1911; *Independent*, LXX, 431 (March 2, 1911).

plete military staff. It must have been difficult for the two men to understand one another due to their different backgrounds. Orozco was low born, almost illiterate, crude, and capable of extreme brutality, while Madero was a wealthy aristocrat, well educated, a mystic, and basically gentle. The problem at hand, the defeat of federal forces, became their only common ground.

Madero's failure to recognize Orozco's abilities as a leader resulted in a temporary split between the two men. Orozco, resentful of outside competition for command of rebel forces in Chihuahua, had no place for and no desire to use the men who Madero offered.

In late February, Madero, acting on advice of his advisers rather than on Orozco's, determined to attack Casas Grandes, a federal strongpoint on the Mexican Northwestern Railroad. Orozco was left out of this action and remained in the District of Guerrero, though some of his men saw action at Casas Grandes. There were notable critics of the decision to attack Casas Grandes. Abraham Gonzales, leader of the anti-reelection party in Chihuahua, and active in securing arms in the United States, and Francisco Villa, felt that more would be accomplished by capturing a border point, preferably Ciudad Juárez or Ojinaga. Casas Grandes, even if taken, could serve no useful purpose.<sup>32</sup> Madero was firm, however, and the attack on Casas Grandes began March 5. What followed was the most decisive defeat and slaughter suffered by the rebels during the revolution.<sup>33</sup>

Madero, realizing after the disaster at Casas Grandes that his best chance for success was with Orozco and his men, returned to the south and joined Orozco at Bustillos.<sup>34</sup> For a time the two cooperated, and put into operation a plan to take a border point. Slowly rebel forces moved north toward Ciudad Juárez and Ojinaga. By early April they succeeded in gaining control of the Mexican Central and the Northwest-

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82. The Mexican Ambassador to the Department of Justice, Mexican Embassy, Washington, Mar. 17, 1911, with an enclosure of a letter by Abraham Gonzales, in *Foreign Relations*, 1911, 427-428; the Villa position was stated in Edgcomb Pinchon, *Viva Villa* (New York, 1933), p. 148.

83. Alvin R. Kenner, "The Mexican Revolution," *Mining and Scientific Press*, CII, 621-624 (May 6, 1911); Casasola, I, 231; *Independent*, LXX, 539 (March 6, 1911).

84. Casasola, I, 256.

ern railroads, thereby cutting off Ciudad Juárez.<sup>35</sup> On April 19, Madero demanded the surrender of the city.<sup>36</sup>

From April 19 to May 7 a truce prevailed while peace talks were carried on. The talks failed, for rebel leaders refused to lay down their arms until Díaz resigned from the presidency. The work of the peace commission broke down and the talks ended May 7.

During the course of the truce, the military situation grew tense. Orozco and Villa, restless at the delays, wanted to attack while they still held a military advantage. Friction had also developed between rebel and federal soldiers who, under the strain of the long period of inaction, were constantly harassing one another with insults.<sup>37</sup> The two chieftains and their men were only held in check by the persuasive abilities of Madero.

Even with the collapse of negotiations on May 7, Madero was fearful of pushing the attack on Ciudad Juárez. International complications were almost certain to arise out of a military action so close to the American border. In a statement issued May 7, Madero indicated that rebel forces would be withdrawn from Ciudad Juárez and moved south in a march on Mexico City.<sup>38</sup>

Orozco and his men were not so fearful of the nearness of the American border. On May 8, scattered elements of the rebel army began to advance on Ciudad Juárez, triggering a general assault. Evidence does not indicate whether the attack was ordered by Orozco or Villa, or was spontaneous. Once under way there was little Madero could do but give his approval. By the afternoon of May 10, rebel forces had occupied all of the city and General Navarro surrendered the federal garrison.<sup>39</sup>

Friction developed between Madero and his military leaders over the disposition of the federal commander, Juan

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35. Ortiz Rubio, p. 178.

36. *Herald*, April 20, 1911.

37. *Ibid.*, May 10, 1911.

38. Edwards, consul, to Bryan, Sec. of State, Ciudad Juárez, May 7, 1911, in *Foreign Relations*, 1911, 477. For the complete text of the Madero statement, see Ramírez Plancarte, pp. 233-234 n.

39. Casasola, I, 269-270; *Herald*, May 11, 1911; *Independent*, LXX, 1033 (May 18, 1911).

Navarro. Orozco and Villa wanted him executed immediately. They remembered the fate of rebel prisoners at Cerro Prieto and wanted revenge. Madero, not wishing unnecessary bloodshed or unfavorable publicity, personally escorted Navarro to safety across the international boundary.

On May 11, Madero named his provisional cabinet which brought on a serious mutiny. The fact that he named Venustiano Carranza Minister of War enraged Orozco who felt he had earned the appointment. This, coupled with the escape of Navarro and the resentment which had been present since Madero's entry into Mexico, prompted Orozco to deal harshly with Madero. Orozco, Villa, and a hundred men went to Madero's quarters. During the argument that followed, Orozco was only restrained with difficulty from shooting men who came to the defense of Madero, and for a time the Provisional President himself was in great danger.<sup>40</sup> He talked Orozco out of the worst of his anger and the matter was patched up. However, the deep resentment and distrust that had developed between the two men was firmly established.

The capture of Ciudad Juárez proved to be the key victory in the revolt against Díaz and his government. It placed the federal troops at Ojinaga and Agua Prieta in an impossible position, forcing them to give up these border points to rebel forces.<sup>41</sup> Federal power in northern Chihuahua was broken, and the highly touted armies of Díaz began to collapse throughout Mexico. The army Díaz had depended upon was honeycombed with graft, its generals were senile, its rank and file had been drawn from the prisons and slums, and it proved of little value in most of its operations.

The first phase of the Mexican revolution was nearing its end. On May 15, a meeting of the peace commission began and on May 17, an armistice was agreed upon. That same day Díaz agreed to resign by the end of the month; he signed his resignation on May 25, and went into exile in Europe. The revolution had succeeded.

Orozco's contribution to the downfall of Díaz cannot be

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40. *Independent*, LXX, 1033 (May 18, 1911); *New York Times*, Feb. 10, 1913. Hereafter cited as *NYT* with proper date.

41. *Independent*, LXX, 1033 (May 18, 1911).

underestimated. It was his leadership and refusal to give up in the face of what looked like certain failure that finally gave unity and purpose to the rebels of Chihuahua. The combination of an idealistic and outspoken Madero, and the leadership and fighting abilities of Orozco spelled success for the revolution. To give all of the credit to Madero is to completely overlook a large segment of Mexican history of that period. A number of men in many parts of Mexico brought down the Díaz regime and Orozco in Chihuahua ranks among the most important. Joaquín Márquez Montiel, S.J., Chihuahua historian, said about Orozco,

"This revolutionary military *jefe* was the first to raise in arms against the Porfirian dictatorship and one of the principal factors in the triumph of the *Maderista* revolution."<sup>42</sup>

The period from the fall of Ciudad Juárez to March, 1912, was a time of resentment and dissatisfaction for Pascual Orozco. The wealth and power he had anticipated as his reward for service in the revolution never materialized to a degree acceptable to him. His unrest was fed by anti-Madero elements within the state of Chihuahua. The wealthy groups who earlier would not have associated with such a peon upstart saw in Orozco a possible tool against Madero. This element included the Church, which hated Madero, the *científicos* who had been the brains of the later Díaz period, all the wealth and power of the Terrazas family, and the political connings of Enrique Creel.<sup>43</sup> To succeed against Madero this group needed a "stalking horse," someone who had demonstrated leadership ability and could count on the support of a broad base of the population. Orozco, as a result of his connection with the revolution of 1910 was, in popular fancy, a great hero, and the victorious ending of the revolution in the interest of his party left him as the man of the hour in the state. Nor was he unambitious. He passed every test and became the man of the reactionary elements in Chihuahua.

During the closing months of 1911, plots against the

42. Márquez Montiel, p. 220.

43. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484); NYT, Feb. 10, 1913.



Madero government were in evidence all over Mexico. In November, 1911, Bernardo Reyes, Emilio Vásquez Gómez, and Emiliano Zapata plotted a revolt. The Plan of Ayala, which supported the revolt, recognized Orozco as chief of the revolution if he would accept. Article three of the Plan said: "General Pascual Orozco, second in command to Francisco Madero, is recognized chief of the *Revolución Libertadora*, and in case that he does not accept this office, General Don Emiliano Zapata is recognized as chief of the revolution."<sup>44</sup> Federal authorities used this article plus personal correspondence they claimed to have intercepted to implicate Orozco in the revolt.<sup>45</sup> Orozco, planning his own rebellion, with *hacendado* backing, publicly disassociated himself with the November revolt.<sup>46</sup> The Zapata-Reyes-Vásquez Gómez movement failed from lack of support. Reyes was arrested, Vásquez Gómez fled to the United States and plotted further revolutionary action, and Zapata continued his guerrilla activity in the south.

In the final months of 1911, and in January, 1912, Orozco nominally remained loyal to the Madero government. In December, as commander of the state militia, he took the field against rebel forces supporting Vásquez Gómez.<sup>47</sup> On January 20, 1912, Orozco was in Mexico City and conferred with Madero. Rumors circulated at this time that Orozco was to be sent to Morelos to put down the Zapata revolt, but these were quickly dispelled by Madero.<sup>48</sup> When he returned to Chihuahua, Orozco resigned the commission as commander of the state militia and indicated he was retiring to private life to work for an American mining company guarding ore shipments.<sup>49</sup> Later events showed this to be a neat bit of propaganda.

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44. Francisco Naranjo, *Diccionario biográfico revolucionario* (Mexico, 1935), pp. 272-274. On June 19, 1914, a document was issued called the *Ratificación al plan de Ayala* in which article three of the Plan of Ayala was revised to exclude Orozco from leadership as a result of his reactionary tendencies in 1912 and 1913. For the complete text see Manuel Gonzáles Ramírez, *Planes políticos y otros documentos* (Mexico, 1954), pp. 86-89.

45. *Herald*, Dec. 5, 1911.

46. *Ibid.*, Dec. 8, 1911.

47. He was in pursuit of Antonio Rojas who was later to be one of his aids. *Ibid.*, Dec. 22, 1911.

48. *Ibid.*, Jan. 20, 1912.

49. *Ibid.*, Jan. 31, 1912.

Revolutionary sentiments were again strong in February, 1912. On February 1, the federal garrison at Ciudad Juárez mutinied and declared for Emilio Vásquez Gómez.<sup>50</sup> The agitation of Vásquez Gómez from the United States and the inability of Madero to pacify the country gave considerable support to the revolt. Orozco and his backers were unprepared for their move and were dismayed when the Vásquez Gómez affair gained momentum. The *hacendado* group had not yet collected the necessary arms, ammunition, or money needed for a successful revolutionary enterprise. Orozco was sent immediately to Ciudad Juárez and was able to quiet the mutiny. On February 4, the mutineers were sent to Chihuahua City.<sup>51</sup> Orozco temporized by making terms with the leaders of the mutiny, and troops which were moved from Ciudad Juárez to Chihuahua City were to be an important factor a month later when the Orozco-*hacendado* coalition was ready to move.

All through February, Orozco hesitated while minor uprisings occurred at numerous points in Chihuahua in favor of Vásquez Gómez. On February 18, leaders of the Vásquez Gómez movement tried to force Orozco into committing himself and his backers by proclaiming him General-in-Chief of the rebel forces in Chihuahua.<sup>52</sup> Orozco still hesitated, and as late as February 24, Abraham Gonzales, Governor of Chihuahua, declared Orozco loyal to the government.<sup>53</sup> By March, however, the Vásquez Gómez rebellion had gained such headway that there was danger that Orozco and his supporters would not be able to control it.

On March 3, 1912, Orozco took the final step and declared himself against the Madero government, accepting the previously offered position as General-in-Chief of the Chihuahua rebels. Supporters of Vásquez Gómez and Orozco, within the state government, took over the state legislature and many of the state offices. Francisco Villa, remaining loyal to Madero, led federal troops against Chihuahua City in hopes of restoring the state government to Madero men. Orozco, supported

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50. *Ibid.*, Feb. 2, 1912; Casasola, I, 422.

51. *Herald*, Feb. 5, 1912.

52. *Ibid.*, Feb. 20, 1912.

53. *Ibid.*, Feb. 25, 1912.

by the mutineers from Ciudad Juárez, successfully defended the state capital, driving Villa into the western part of the state.

Orozco's defection brought on the customary revolutionary plan. The plan was issued on March 25 as the *Pacto de la Empacadora (Plan Orozquista)*.<sup>54</sup> It was more a personal condemnation of Madero than a plan of revolution. It made few specific charges against the Madero government and offered little in the way of a reform program.

Orozco and his backers hoped their call for revolution would quickly gain support in other northern states. Soon after issuance of the *Plan Orozquista*, Chihuahua was declared seceded from the Mexican republic and an invitation was issued to other Mexican states to unite with Chihuahua to overthrow Madero. None responded however, and Chihuahua carried on the fight alone.

The Madero government found itself defenseless. In office only a short time, it had indifferently organized the affairs of state and was hampered by inexperienced personnel. Its army was entirely disorganized, the old Díaz organization had not been rehabilitated and no new levies had been made. The most powerful military elements that remained of the rebel forces that had overthrown Díaz were mostly in the hands of Orozco in Chihuahua.

Orozco moved quickly to carry out his plan. He brought together nearly five thousand men and jeeringly called upon Madero to resign and save his country more bloodshed.<sup>55</sup> The government sent against the rebels most of its available strength, some 1,600 men. They were commanded by General José Gonzales Salas who had resigned as the Minister of War in Madero's cabinet to lead the federal army in the north.<sup>56</sup>

A critical battle for control of Chihuahua developed early in March around Torreón, an important rail center, where Salas had concentrated his troops.<sup>57</sup> Rebel forces, moving south from Chihuahua City along the main line of the Mexican Central Railroad, made contact with federal outposts on

54. Gonzáles Ramírez, pp. 95-106.

55. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484).

56. *Ibid.*

57. *Herald*, Mar. 9, 1912.

March 23, 1912, at Rellano, about one hundred miles northwest of Torreón.<sup>58</sup> On subsequent days the rebels advanced south to Escalon and Corralitos. By March 27, the rebels were completely victorious.<sup>59</sup> This series of victories plus successful operations in the northern part of the state gave Orozco control of Chihuahua.<sup>60</sup>

Although the revolution looked as though it would certainly succeed, the rebels were not to have it so easy. The federal army had been defeated and scattered, and the road to Mexico City was open and undefended. Panic gripped the capital at the prospect of a rebel advance. A decision made in Washington, D. C., however, was to spell disaster for the rebel cause. On March 13, 1912, the United States government placed an embargo on all arms shipments to Mexico.<sup>61</sup> This cut off the rebel source of arms and ammunition and made it difficult, if not impossible, for Orozco to quickly re-supply his army. Orozco defended his failure to follow up his victory on the basis of an arms shortage. The United States arms embargo brought on bitter denunciation by the rebels. Indeed, the Orozco rebellion was characterized throughout by great hostility towards the United States and towards its citizens who resided within territory held by the rebels.<sup>62</sup>

In early April, Madero prepared a second army to send against Orozco. The command of operations in the north was given to Victoriano Huerta who was given a free hand in organizing the force and assembled an army of about 8,000 men. These began to move north to Torreón on April 10.<sup>63</sup> A month later Huerta was ready to begin operations against Orozco's forces.

Early in May a major split appeared among the leaders of the rebellion. Emilio Vásquez Gómez entered Mexico at Ciudad Juárez on May 3, and on the following day declared himself Provisional President and leader of the revolution.<sup>64</sup> Orozco refused to recognize the provisional government es-

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58. *Ibid.*, Mar. 24, 1912.

59. *Ibid.*, Mar. 28, 1912.

60. In the north, Ciudad Juárez fell to the rebels on Feb. 24. *Ibid.*, Feb. 27, 1912.

61. *Ibid.*, Mar. 14, 1912.

62. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484).

63. *Ibid.*; *Herald*, April 11, 1912; Casasola, I, 443.

64. *Herald*, May 5, 1912.

tablished and went so far as to have Vásquez Gómez arrested and later expelled from Mexico.<sup>65</sup> Orozco and his backers were now in complete control, but they were to find that the treatment of Vásquez Gómez and the very apparent reactionary course of the revolution would soon alienate all but the staunchest of Orozco's followers.

In the meantime, Huerta launched a series of attacks that gradually forced the rebels north and would eventually destroy them as an effective army. Orozco was still short of supplies and his forces faced a numerically superior foe. Also, his break with Vásquez Gómez had lowered the morale of many of his followers who had earlier supported the deposed presidential aspirant. On May 10, 1912, fighting broke out at Conejos, about forty miles northwest of Torreón on the Mexican Central Railroad, which resulted in a victory for Huerta.<sup>66</sup> Federal troops continued to advance along the railroad and on May 22 and 23 fought a pitched battle at Rellano and again defeated the rebels.<sup>67</sup> From Rellano, Orozco retreated north to Bachimba, destroying the railroad as he went. It took Huerta's work crews and army until July 3 to repair the rails and to move into position for an assault on Orozco's defenses. The battle of Bachimba was fought on July 3; and on July 4, Orozco's forces were in full retreat toward Chihuahua City. The revolutionary forces were disbanded as an organized army on July 7, when Huerta reached Chihuahua City.

When he disbanded his army Orozco gave orders for guerrilla warfare.<sup>68</sup> He admitted defeat but was determined to continue fighting. On July 12, he delivered a final diatribe against Madero through the newspapers. It was a weak effort to gain sympathy and support, and it failed.<sup>69</sup>

Huerta established his headquarters at Chihuahua City but made little effort to stop the guerrilla bands that ravaged the country. Orozco made his headquarters at Ciudad Juárez. There is some evidence that the federal armies in the north

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65. *Ibid.*, May 8, 1912.

66. *Ibid.*, May 11, 1912.

67. *Ibid.*, May 24, 1912.

68. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484).

69. *Herald*, July 13, 1912.

were not wholly unsympathetic to the rebel cause, and that Orozco and Huerta were in touch and knew of each other's plans. It is not surprising that Huerta, allied by almost life long association and community of interest with Díaz, should be a foe of the new regime in Mexico City. There was much talk in Chihuahua among the army people that General Huerta was planning to turn against Madero. Whether or not it was true that he was plotting such a revolt at this time, it was true that he was inactive in suppressing completely the Orozco rebellion, though all means possible had been placed at his command. His facilities even included two airplanes along with trained pilots and mechanics. The planes were never taken from their hangars.<sup>70</sup>

Orozco retained control of Ciudad Juárez without serious interference from Huerta and continued his fight against Madero. The biggest threat he was able to bring against the Madero government was the persecution of foreigners and their property. He issued orders that all foreigners must give up their arms or join his revolution, and he withdrew all guarantees for the protection of foreign interests.<sup>71</sup> These moves had little effect, for Orozco's power had waned and he controlled only a small territory. On August 16, 1912, Orozco abandoned Ciudad Juárez.<sup>72</sup>

The series of military defeats between May 10, 1912, and the abandonment of Ciudad Juárez caused major dissension in the ranks of Orozco's followers and dissatisfaction on the part of his backers. On July 10, there was a movement to depose Orozco as revolutionary leader in favor of Vásquez Gómez and David de la Fuente.<sup>73</sup> De la Fuente was to take over as military commander and Vásquez Gómez as political leader.<sup>74</sup> On July 17, Antonio Rojas demanded that Orozco give up the funds he had accumulated during the revolution and also relinquish leadership of the movement.<sup>75</sup> The

70. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484); for a short history of early aviation in Mexico see Dorote Negrete, *Cronología aeronáutica de México* (n.p., 192-), passim.

71. *Herald*, July 30, 1912.

72. *Ibid.*, Aug. 17, 1912; Casasola, I, 466.

73. *National Archives*, Memorandum, unaddressed, unsigned, July 8, 1912 (812.00/7956).

74. *Herald*, July 11 and 12, 1912.

75. *Ibid.*, July 18, 1912.

Church, the *científicos*, and many of the *hacendados* of Chihuahua had abandoned Orozco in July when it was obvious that Huerta was going to defeat him. By late July much of his army had deserted and leadership of the main revolutionary forces in Chihuahua passed into other hands.<sup>76</sup>

Orozco's activities during the last half of 1912 were confined to small guerrilla raids and spiteful reprisals against foreigners, particularly United States nationals. On September 13, 1912, he captured Ojinaga which remained his headquarters until January, 1913.<sup>77</sup> Here again the position of the federal armies in Chihuahua was shown. Orozco, during these last months of 1912, had only about 800 poorly armed, untrained men, and these were fast dwindling, yet he was able to hold Ojinaga and to pillage northern Chihuahua with little interference from federal troops.<sup>78</sup> In January, 1913, his army all but gone, Orozco gave up his fight and entered the United States. He was apparently aware, however, that a bigger revolution was near at hand.

On January 25, 1913, Orozco, in exile in the United States, published a formal statement again calling for the resignation of Madero. The statement also suggested a provisional government: President, Jerónimo Treviño; Foreign Minister, Francisco de la Barra; Treasury, Toribio Esquivel Obregón; Communications, Felix Díaz; Public Instruction, Francisco Vásquez Gómez. The statement closed "Pascual Orozco declines any benefit."<sup>79</sup> This was the final gesture of Orozco's revolution against Madero. In February the Reyes-Felix Díaz revolt took precedence, and on February 15, Orozco declared himself for that group.<sup>80</sup>

Orozco's rebellion in Chihuahua, though unsuccessful, did much to bring down the Madero government. To accomplish stability and consolidate his government, Madero needed peace and money. In July, 1911, the Mexican Treasury had a surplus of 63,000,000 pesos.<sup>81</sup> A large portion of this disappeared to support federal forces in Chihuahua. Disturbances

76. *Ibid.*, July 25, 1912.

77. *Ibid.*, Sept. 4, 1912.

78. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484).

79. *Herald*, Jan. 28, 1913; *NYT*, Feb. 10, 1913.

80. *Herald*, Feb. 16, 1913.

81. *Ibid.*, July 8, 1911.

in all parts of Mexico told heavily on the central government, but Chihuahua became the focus of effort. Lack of funds made it impossible for Madero to put into effect the demands for reform, and dissatisfaction with his inability to deal with rebellion cost him support and made him vulnerable to the machinations of Huerta, Reyes and Felix Díaz. Although Orozco had no personal part in the coup d'état which brought Huerta to power, it can be said that Huerta inherited Orozco's revolution and did in another way what Orozco could not accomplish on his own. The same elements that had supported Orozco in 1912 backed Huerta.

The ascendancy of Huerta brought Orozco scurrying back to Mexico. He was met by Huerta and, after the customary *abrazos*, Huerta appointed Orozco as a brigadier-general in the Mexican army for his service to his country in trying to overthrow Madero.<sup>82</sup> Huerta, following his "election," issued an invitation to all the state leaders to support his government. In the north the invitation was rejected by most men when it became known that Carranza intended to oppose Huerta. Orozco was among the few who accepted. The Carranza forces revolted.

Orozco became the workhorse among Huerta's generals in northern Mexico. From July, 1913, until the fall of Huerta a year later, Orozco was the most persistent in fighting the rebel advance. Though a federal commander, his troops were usually irregulars, made up of his personal followers who had remained loyal to him since 1910. Federal strongholds were at Chihuahua City, Ciudad Juárez, Ojinaga and Torreón. The rebel army was concentrated in southern Chihuahua and was commanded by Orozco's one time aide, Francisco Villa. Until October, 1913, neither force was able to gain any real advantage.

Late in 1913, Villa began operations to clear Chihuahua of federal troops. In October he broke federal power at Torreón which severed the last connection between the Mexican capital and the federal forces in Chihuahua. Villa's next objective became Chihuahua City, but Orozco and his irregu-

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82. *National Archives*, Letcher to Bryan, Chihuahua, Oct. 17, 1913 (812.00/9484) ; Casasola, II, 527.



lars proved the balance of power and Villa was repulsed by the federal troops. Rather than return south, Villa by-passed Chihuahua City and on November 15 succeeded in taking Ciudad Juárez. Villa began an advance south November 24, capturing Tierra Blanca. Orozco moved out of Chihuahua City to halt the rebel advance, but was driven back.<sup>83</sup> With the rebels controlling the railroads both north and south, federal forces abandoned Chihuahua City on December 3.<sup>84</sup> Orozco's forces and those from Chihuahua City retreated to Ojinaga.<sup>85</sup> Villa closely pursued the federals to Ojinaga, and on January 10, 1914, drove them into the United States. Most of the officers and men were interned, but Orozco escaped and soon organized another command to fight the rebels in northern Mexico.<sup>86</sup>

During the first six months of 1914 Orozco's activities were difficult to trace, for he was constantly on the move. Being thoroughly familiar with the border, he slipped in and out of Mexico at will. He is known to have lived for months within a short distance of El Paso, Texas. In May he showed up briefly in Los Angeles where he tried to recruit men and supplies for the Huerta cause. He fled Los Angeles when a warrant was issued for his arrest on a charge of violating United States neutrality laws.<sup>87</sup> In June Orozco was back in Mexico in command of 4,000 irregulars; his orders were to support the federal garrison at Zacatecas. The Carranza rebels soundly defeated the federal garrison. Orozco, not wanting to risk his small force in the fight, retreated to Soledad where the rebel cavalry caught up with and surrounded him.<sup>88</sup> He escaped their trap and in late June joined other Huerta leaders at San Luis Potosí where they declared themselves separated from the control of the regular army but at the same time pledged that they would continue to fight the Constitutional Army led by Carranza.<sup>89</sup>

83. NYT, Nov. 30, 1913.

84. Casasola, II, 654; Juan Barragan Rodriguez, *Historia del ejército y de la revolución constitucionalista* (Mexico, 1946), 2 vols., II, 654.

85. NYT, Dec. 10, 1913.

86. *Ibid.*, Sept. 1, 1915; Barragan, p. 232.

87. NYT, May 13, 1914.

88. *Ibid.*, June 27, 1914.

89. *Ibid.*, June 29, 1914.

By July it was evident the Huerta regime was fast coming to an end. Rebel forces under Carranza were closing on Mexico City, Villa had all but complete control in the north. On July 15, 1914, Huerta gave up and left the country, going to Spain.

Orozco, without waiting for a Carranza government to come into full control, started a counter-revolution. His chief aide was Francisco Cardenas, the officer who had commanded the guard that had custody of Madero when he was murdered.<sup>90</sup> The counter-revolution was never to be a serious threat to either Villa or Carranza, who themselves split in 1914 and were fighting each other. Orozco's activities were confined to minor clashes with Villa forces in northern Mexico. He moved freely across the border and was wanted by Villa in Mexico and authorities in the United States. In December, Orozco appeared for a short time in New York City, seeking arms and financial aid for his fight against Carranza and Villa.<sup>91</sup>

While Orozco was carrying on his lone fight, Huerta had returned from exile in Spain and was in the United States plotting his return to power. He and Orozco joined forces and on June 27, 1915, met at Newman, New Mexico, near El Paso. They were immediately arrested by American immigration officers for violation of United States neutrality laws. Apparently Orozco and Huerta planned to cross the border where loyal forces were waiting to revolt. It was also reported that a substantial quantity of arms was waiting for the rebels in a warehouse in El Paso.<sup>92</sup>

This was not to be the end of Orozco's activities, but it was the finish of Huerta. On July 2, Orozco jumped his bail of \$7,500 and entered Mexico. Huerta was arrested before he could do likewise and was held in an El Paso jail.<sup>93</sup> A short time later Huerta was killed by another prisoner while still in jail.

During the remainder of July and in August, 1915, Orozco and a few loyal followers operated along the border trying to

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90. *Ibid.*, July 19, 1914.

91. *Ibid.*, Dec. 15, 1914.

92. *Ibid.*, June 28, 1915.

93. *Ibid.*, July 3 and 13, 1915.

gather an army, but with little success. To support themselves they raided ranches on both sides of the border. On August 31, Orozco raided the Dick Love Ranch in the Big Bend district of Texas. A posse of civilians, United States customs officials, and members of the 13th United States Cavalry were close at hand and took his trail. In the Green River Canyon of the High Lonesome Mountains near Hillsburg, Texas, Pascual Orozco and four of his companions were killed in a running fight.<sup>94</sup> Orozco had fallen a long way since his triumphant entry into Chihuahua City as general of the revolutionary army that had beaten Díaz in 1911.

Orozco was an opportunist; the satisfaction of his ambitions for wealth and prestige determined his loyalties. He thrived on the brutality, lawlessness, and coarseness of guerrilla fighting. For all his shortcomings his appeal to the people of Chihuahua was remarkable. Even in defeat, disgraced in the eyes of most Mexicans, and declared a bandit by two nations, Orozco was still able to raise an army in Chihuahua with relative ease. In the annals of Chihuahua history he remains a hero to this day, particularly for his part in the overthrow of Díaz.

His services to the revolution in 1910-1911, when the Díaz forces were defeated, were second only to those of Madero, and perhaps in some respects he takes precedence over the "Apostle of the Revolution." The remaining years of his life are not so deserving of praise. After the fall of Díaz, Orozco's name and abilities became permanently associated with all the elements in Mexico that stood for the old tyranny and the old ways of doing things. Until the day he died he kept the northern states, and particularly Chihuahua, in a state of turmoil. Forces that were eventually welded to crush him and others like him were also strong enough to bring a degree of stability and sanity to the Mexican nation. The leaders of this new force emerged the victors over the more reactionary and anti-revolution elements.

In all parts of Mexico in 1910 men like Pascual Orozco burst suddenly upon the Mexican scene. The chance for lead-

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94. *National Archives*, Weekly Report, Headquarters, Southern Department, Fort Sam Houston, Texas, Dept. 3, 1915; *NYT*, Sept. 1, 1915.

ership, recognition, and even wealth was there for the strong to take. It was a period of particular brutality and inhumanity. To survive the rigors of leadership a man had to be cast in the pattern of an Orozco or a Villa or a Zapata. It was not until the Mexican nation was exhausted and prostrate that any semblance of order or of law developed.

Until the many state and local leaders who participated in the great rebellion, from 1910 to 1917, are sorted out and analyzed, our knowledge of the Mexican movement will be inadequate and faulty. The Mexican Constitution of 1917, which has had such an important impact upon the constitutional development of all of the Latin American countries, was a direct outgrowth of the Díaz dictatorship and the chaotic six years that followed his fall. The developing revolution with all of its ramifications also grew out of the anarchy and bloodshed that swept Mexico from 1910 to 1917. It is essential that the basic elements that went into the making of Mexican history during these six or seven years be understood. The activities of Pascual Orozco, Jr., and his Chihuahua rebels were but one link in that chain of events.

## BRITISH INVESTMENT AND THE AMERICAN MINING FRONTIER, 1860-1914

By CLARK C. SPENCE\*

“ENGLAND is a lake of money, bank full and running over.” So wrote the San Francisco editor of the *Mining and Scientific Press* in 1895.<sup>1</sup> Many fellow Americans were inclined to agree and undoubtedly the relatively heavy investments of British capital that had already splashed over into the West had much to do with creating this attitude. Although the pound sterling was attracted to many types of enterprises—vineyards, railroads, and ranching among others—between 1860 and 1914 at least 584 joint-stock companies, with a total nominal capitalization of not less than £81,185,000, were registered with the Board of Trade in Great Britain to engage in mining or milling activities in the intermountain West and Southwest, exclusive of the Pacific Coast proper. Of these, probably not more than 329, capitalized at about £46,000,000, ever raised funds and actually commenced operations. Of the total, at least 79, representing nominal capital of £10,997,200, were formed to work property in Arizona and New Mexico, although about 20 per cent of this number never became operational, even for a limited period of time.<sup>2</sup>

Such figures must be approached gingerly. Often the gap between nominal and actual capital was a wide one. The British public might fail to respond, with the result that part of the nominal capital remained unsubscribed; large blocks of shares might be granted fully paid to vendors in full or partial payment for property; sometimes non-British shareholders—American or Continental—accounted for a

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\* Associate Professor of History, The Pennsylvania State University, University Park, Penn.

1. *Mining and Scientific Press*, LXXI (Sept. 21, 1895), 185.

2. These and other figures concerning the organization and operation of these 584 joint-stock companies have been compiled by the writer primarily from official files located in the offices of the Registrar of Companies, Board of Trade, Bush House, London, and the Queen's Remembrancer, Parliament Square, Edinburgh. In addition, much pertinent material has been used from collections in the archives of the Stock Exchange, Share and Loan Department, London.

proportion of the subscribed capital.<sup>3</sup> Certainly the heavy expenses of floating a joint-stock company in London or Edinburgh might absorb a sizable amount of the original assets. In one extreme instance, for example, approximately £120,000 (\$600,000) was spent in organizing and sustaining a single Anglo-Utah concern during its early months of activity.<sup>4</sup>

On the other hand, these general figures—and, indeed, this paper—are concerned with only part of the story of British investment in western mines. Undoubtedly much capital cannot be pinpointed. Until late in the century English records gave no indication of additional capital raised through mortgage indebtedness. Thus, while in mid-1888 the Arizona Copper Company, Ltd., listed a nominal capital of only £715,000, it had issued £266,000 worth of unrecorded debentures through a kindred firm in order to meet its obligations and to conduct operations.<sup>5</sup> The picture is further complicated by indeterminable amounts invested through unincorporated partnerships or friendly societies and, more importantly, through American companies. Of the latter, like the Seven Stars Gold Mining Company or the White Hills Mining and Milling Company (both in Arizona),<sup>6</sup> there were many. They hawked their shares or bonds on the British market and sometimes worked extensively in the West, but few have left behind them records to indicate how many shares were held

3. For examples of Southwestern companies illustrating this discrepancy between nominal and actual capital see: Jersey Lily Gold Mines, Ltd., Summary of Capital and Shares to February 14, 1899, located in the Board of Trade files, office of the Registrar of Companies, Bush House London. File No. 45507. (Such files are cited hereafter as C.R.O. and number. Numbers preceded by the letter "B" are on microfilm at the Bancroft Library.) ; Grand Central Silver Mines, Ltd., Summary of Capital and Shares to February 10, 1892, C.R.O. B34882; Little Wonder Gold Mines, Ltd., *Prospectus* (April 12, 1901), C.R.O. B69138. The roster of the Morenci Copper Mines, Ltd., an Anglo-Arizona undertaking of 1899, shows shares held not only in England, but also in France, Germany, Holland, Italy, Switzerland, Portugal, Corsica, and Turkey. Morenci Copper Mines, Ltd., Summary of Capital and Shares to January 11, 1901, C.R.O. 62248.

4. Trenor W. Park testimony (April 19, 1876), Emma Mine Investigation, *House Report* No. 579, 44th Congress, 1st Session (1875-1876), 758.

5. *The Statist*, XXII (Sept. 22, 1888), 336; Arizona Copper Company, Ltd., *Prospectus* (1888). This was a prospectus advertising the issuance of the £266,000 perpetual debentures six years after the organization of the concern. Unless otherwise noted, all company prospectuses cited are located in the Stock Exchange archives, London.

6. For the White Hills Mining and Milling Company, which had heavy Manchester backing, see the *Anglo-Colorado Mining and Milling Guide* (London), I (June 25, 1898), 67; *Mohave County Miner*, Feb. 11, 1921. The Seven Stars Gold Mining Company and its activities during the 1890's is amply covered in Wiser, *et al.*, v. Lawler, *et al.*, 189 *U.S. Reports* (1902), 261-274.

in English hands. In any event, because of the imponderables, any attempt at quantitative analysis falls far short of its mark.

But whatever its extent and through whatever its media, the flow of investment into western mines was but part of a much broader movement of British capital into all corners of the mineral world, ranging from Aruba to the Yukon, from Coolgardie to Zanzibar. The American West was not peculiarly favored; competing with other regions it received only a fraction of British overseas capital. In 1890 only 17.1 per cent of all new capital offered by mining concerns registered in England was destined for any part of the United States; probably about 3.5 per cent of similar capital offered in 1900 was earmarked specifically for the American West.<sup>7</sup> And British investments made up only a small portion of the total capital that developed western mineral industries. Fragmentary figures show that in 1895, for example, British joint-stock capital represented about 1.5 per cent of all new capital nominally registered for Colorado mines in that year.<sup>8</sup>

After a brief and unhappy experience in California during the 1850's, English investments were not especially noticeable in western mines until after 1870. The confusion and uncertainty fostered by the Civil War acted as a deterrent, as did the condition of the mineral industry itself. Depression struck in the mid-sixties, as Eastern companies succumbed to "process mania" and installed fantastic new contraptions for "frying, roasting or stewing precious ores" which had been devised by so-called "experts" who knew "as little about practical milling as the lunatic in Swift did about extracting sunbeams from cucumbers."<sup>9</sup> The resulting costly and spectacular failures by many American firms could not help but

7. Walter R. Skinner (ed.), *The Mining Manual* (London, 1891-1892), xi; *Mining Journal* (London), Jan. 19, 1901, 71.

8. According to the British Vice-Consul in Denver, there were 632 mining companies registered and incorporated in Colorado in 1895 with a total capital of nearly £108,000,000 on paper. United States Report for the Year 1895 on the Trade of the Consular District of Chicago, Foreign Office, *Annual Series* No. 1725 (1896), 30-31. The writer unearthed twelve British joint-stock companies with a total nominal capital of £1,349,000 registered to exploit mineral resources in Colorado in 1895.

9. Amasa McCoy, *Mines and Mining in Colorado: a Conversational Lecture, Delivered in the Lecture Room of Crosby's Opera House, to the International Mining and Exchange Company* (Chicago, 1871), 35.

leave the British public cool to western investment schemes.

Moreover, British capital had a tendency to lag until some semblance of "civilization" became apparent in the West. It tended to move more readily, for example, into regions where the Indians provided the least trouble and where railroads were early available. Thus Nevada, Colorado, and Utah were favored with overseas capital at an earlier date than Idaho, Montana, New Mexico, and Arizona. From 1860 to 1873 there were thirty-three British concerns organized to operate mines in Nevada, twenty-two for Colorado, but only three for Arizona and none for New Mexico.

In general the decade of the sixties brought only limited British investment (actually sixteen companies, with a total capitalization of £1,525,000), but the stage was being set for a more substantial flow. English company laws had by 1862 simplified the organization of the joint-stock company and had added limited liability to its advantage. At the same time, a generally prosperous investing public was being brought in contact with western opportunities. Innumerable British travelers bent on sport or adventure carried home tales of mineral riches in the Rockies or beyond; thousands of British emigrants in the West retained family or business ties abroad; English or Cornish experts sent to inspect or manage American mines undoubtedly served as important links. Selected ores shipped to international exhibitions or to Swansea or Liverpool to take advantage of superior refining methods gave mute if misleading testimony of western wealth.<sup>10</sup> And all the while, by newspaper and periodical, by pamphlet, broadside, and prospectus, promoters constantly kept "opportunity" before the British public.<sup>11</sup>

In the early 1870's came a speculative flurry which focused attention sharply on Colorado, Nevada, and Utah. In spite of momentary scares emanating from the confusion of

10. *Mining Journal*, March 12, 1864; *Colorado Miner* (Georgetown), Dec. 14, 1871.

11. A typical promotional pamphlet is Lincoln Vanderbilt's *The New and Wonderful Explorations of Professor Lincoln Vanderbilt, the Great American Traveller, in the Territories of Colorado, Arizona, & Utah, and the States of California, Nevada, & Texas, Adapted for the Emigrants, Settlers, Mine Speculators, Fortune Hunters, and Travellers* (London, 1870). As for Arizona, wrote Vanderbilt, "Nowhere in the world is there such a rich section of country for mining, and favourable facilities for working these wonderfully productive mines, as embraced in an area of 40 miles square, lying east and south of the town of Prescott." (pp. 32-33)



the Franco-Prussian War and the *Alabama* claims question,<sup>12</sup> the year 1871 produced a bumper crop of Anglo-American mining companies—a total of thirty-four, capitalized nominally at £4,550,000, of which twenty, with a capital of £3,211,000, actually operated. The boom leveled out in 1872 and 1873, then fell off sharply as the cold wind of depression swept across the West, chilling the ardor of the investor and leaving in its wake a mass of corporate wreckage.<sup>13</sup> At precisely the same time English faith was being severely shaken by exposures relating to the Emma Silver Mining Company, Ltd., a concern whose name to the average Englishman became synonymous with Yankee skulduggery. Partly because of promotional support given by the American minister in London, British investors had succumbed to the wiles of the seductive Emma and had plunged £1,000,000 into this Utah endeavor, only to discover—too late—that the property was worked out.<sup>14</sup> This revelation brought not only Utah, but the entire West into disrepute, as a combination of elements—depression and distrust—brought lean years of investments. Only fifteen new Anglo-western concerns (one of them in Arizona) came into active existence during the seven years from 1873 to 1880, and their total capital was only £1,546,000—about forty-eight per cent of the total for the single year 1871.

Stiff competition from the booming new Indian fields and a mild financial crisis in 1878 did nothing to relieve the situation, but except for a sharp downward trend in 1880 and again in 1885, the eighties brought a general increase, the year 1886 being the best since 1871; 1887 and 1888 were the two peak years of the entire period, for at least thirty companies (six of them in Arizona) with a total nominal capital

12. Hiram A. Johnson to Henry M. Teller (London, Feb. 19, 1872), Teller MSS; William Byers to A. E. Langford (n.p., Sept. 23, 1870), Byers Letterbook (1868-1871). Both located in the University of Colorado Libraries.

13. See, for example, report of meeting of the Utah Silver-Lead Mining Company, Ltd., (Feb. 17, 1874), *Mining World* (London), Feb. 21, 1874, 374; report of meeting of the Mammoth Copperopolis of Utah, Ltd., *ibid.*, 376; report of meeting of the Clifton Silver Mining Company, Ltd. (June 15, 1874), *ibid.*, June 20, 1874, 138-139; *Salt Lake Daily Herald*, Jan. 15 & 16, 1874.

14. Emma Mine Investigation, *House Report* No. 579, 44th Congress, 1st Session (1875-1876), 875; *Mining World*, May 17, 1873, 950-951; Samuel T. Paffard, *The True History of the Emma Mine* (London, 1873), 32, 33.

of £7,582,500 were formed and commenced operations in those two years. Concentration was primarily in Colorado, with Nevada, Idaho, and Arizona trailing. Utah by this time was no longer a contender.

Despite a near panic in 1890 when the Barings crashed, the level of investment remained high until 1892; then a fall in metal prices and another international financial dislocation were to cause the flow to ebb momentarily. British concerns throughout the West were hard hit and often never recovered. A few prospered, most muddled along, many—including the wicked Emma—liquidated their American interests and reinvested in gold mines abroad.<sup>15</sup> But new capital was attracted again after 1894, although the pre-depression level was never again reached. The predicted Cripple Creek boom, with a “Colorado sideshow” supplementing the “Kaffir circus” did not materialize in England.<sup>16</sup> Perhaps the Venezuela boundary scare was in part to blame,<sup>17</sup> but more important was the increased competition of South Africa, the Yukon, and Australia-New Zealand as rivals on the world money market. Success in these areas helped weaken the movement of English capital to the American West, although British investments did respond in positive fashion to the Tonopah, Goldfield, and Rhyolite rushes in Nevada.<sup>18</sup> But the Panic of 1907 brought a negative reaction and on the eve of the Great War the period ended on a note of futility, according to the London *Economist*, with “gloom which hung like a pall over the mining market” because capital was being withdrawn from the mineral industry throughout the world in favor of more lucrative if less risky commercial enterprises.<sup>19</sup>

If profits are any indication, the degree of success of the average Anglo-American mining concern fell far short of ex-

15. Skinner, *Mining Manual* (1896), 937; Dickens Custer Mines, Ltd., *Directors' Report*, April 1, 1893, to Dec. 31, 1895; *Annual Report*, year ending June 30, 1901; Flagstaff Company, Ltd., *Directors' Report*, Nov. 13, 1893, to June 30, 1895; La Plata Mines, Ltd., *Directors' Report*, Oct. 27, 1892, to March 31, 1894; Emma Company, Ltd., *Annual Report*, year ending June 30, 1896. Unless otherwise noted, all annual reports and directors' reports are in the London Stock Exchange archives.

16. *Mining Journal*, Dec. 21, 1895, 1547.

17. *Ibid.*; see also William Rogers to W. E. Tustin (Wolverhampton, Jan. 25, 1896), copy in James A. Beaver MSS, Pennsylvania State University Libraries.

18. British Nevada Syndicate, Ltd., *Prospectus* (April 26, 1907), C.R.O. 93138; Nevada Mining Share Syndicate, Ltd., *Balance Sheet* (Dec. 31, 1908), C.R.O. B85633.

19. *Economist*, Feb. 7, 1914, 278.

pectations. At least fifty-seven of the companies registered in the 1860-1914 era paid dividends aggregating about £11,700,000 prior to 1915.<sup>20</sup> Numerically this would mean that one company in every ten ultimately paid some kind of dividend. But many of these were but token payments to appease stockholders or to sustain share prices artificially. In a few instances, officials even borrowed illicitly to pay such "dividends."<sup>21</sup> Probably no more than ten joint-stock companies, only one of which operated in the Southwest,<sup>22</sup> returned the shareholders' full investment. No wonder investors came to believe that the comparative declension of the word "mine" was "miner" and the superlative "minus."<sup>23</sup>

If dividends were not ordinarily forthcoming and if mountainous debts of half a million pounds sometimes piled up,<sup>24</sup> wherein lay the blame? It was not merely that "salted" properties were passed off on the naive British investor, although more than one company, like the Jersey Lily Gold Mines, Ltd., in Arizona, paid dearly for mines in which ore samples had been "grafted" where nature had not intended them to be.<sup>25</sup> The over-all story is much more complex, with

20. Included were four concerns operating in Arizona or New Mexico: Arizona Copper Company, Ltd., paid a total of £3,551,335 between 1892 and 1913; Harquahala Gold Mining Company, Ltd., also operating in Arizona, paid £36,250 in 1893-1894; Carlisle Gold Mining Company, Ltd. (New Mexico) paid £20,000 in 1888; and the Lady Franklin Mining Company, Ltd. (New Mexico) returned dividends of £18,002 in 1887.

21. Thomas Skinner (ed.), *The Stock Exchange Year-Book and Diary for 1875* (London, n.d.), 162; Paffard, *The True History of the Emma Mine*, 33.

22. The only British concern operating in the Southwest which returned at least one hundred per cent on the original investment was the Arizona Copper Company, Ltd.

23. *Mining Journal*, Sept. 9, 1871, 800.

24. See Adelaide Star Mines, Ltd. [Nevada], *Annual Report*, year ending Oct. 31, 1912.

25. This company was incorporated in October, 1895, to acquire mines in the Hassayampa district of Arizona from William Coles Bashford of Prescott. Through Daniel Keating the concern acquired property for £100,000 in shares, but soon exhausted its meager working capital. Another British firm, the Anglo-Continental Gold Syndicate, Ltd., agreed to provide £10,000 for development and for machinery. However, a careful re-sampling of Jersey Lily ores by experts sent out by the Anglo-Continental Syndicate led to the conclusion that the original samples had been "salted" and that the property would not pay. The Jersey Lily company abandoned the mines and brought suit, apparently without success, and the venture was written off as a total loss by the Anglo-Continental Gold Syndicate, Ltd. Jersey Lily Gold Mines, Ltd., *Memorandum and Articles of Association*, 1-2; *Special Resolutions* (July 9 & 29, 1897), C.R.O. 45507; Anglo-Continental Gold Syndicate, Ltd., *Directors' Report and Accounts*, 15 months ending March 31, 1899; *London Times*, April 8, 1899; *The Statist* (London), April 29, 1899. Charles Siringo, well-known cowboy and mining detective, gives a thinly disguised account of the affair, calling it the "Kansas Daisy," probably to be sure his name was

a number of contributing factors combining to spell disillusionment and disappointment.

The whole process of promoting mining enterprises in England left the way open for gross misrepresentation and the transfer of shoddy goods across the trans-Atlantic counter. Worthless claims, labeled "prospect holes" in Colorado or Arizona, became "permanent mining investments" in London. Disputed titles and an occasional hidden mortgage passed into British hands.<sup>26</sup> Prospectuses spoke in glowing terms of "mountains of silver" in New Mexico and of "probable dividends of 200 to 300 per cent" in Nevada,<sup>27</sup> and in their optimism rivaled accounts from Sinbad the Sailor, or as unhappy investors more often insisted, from the tales of Baron Munchausen. Extreme statements came to be expected as a regular part of western mine promotion. "The stories of all of them," commented one American engineer in London, "are so flattering & so highly coloured that it is almost impossible to interest a man in a moderate and probable statement."<sup>28</sup> And to add distinction, each prospectus carried the names of directors of the new company-to-be, the list including as many eminent names as possible—those of nobility, military men, members of parliament, and other public figures whose presence might overawe the investing public.<sup>29</sup> Unfortunately, too many of the projects presented in this

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kept out of the courts. "A Mr. B. of that enterprising town [Prescott] had put out a bait and caught some big fish in England," writes Siringo. "When the aforesaid big fish, who were organized as the Anglo-Continental Mining Co. began to smell a 'mice,' they called on the Dickinson Agency to investigate and see if their corn-crib really contained rats. Hence, I was sent to do the cat act." Eventually, according to Siringo, one of those involved confessed privately that he and "Mr. B." had tampered with and "enriched" the ore samples at the time of the property's sale. Formal evidence, admissible in court, was lacking, however, and the English were the losers. Charles A. Siringo, *A Cowboy Detective* (Chicago, 1912), 268-270. For a more detailed case, in which an English concern successfully proved fraud in court, see the Mudsill Mining Company, Ltd. v. Watrous, et al., 61 *Federal Reporter* (1894), 164-190.

26. *In re Crooke's Mining and Smelting Company, Ltd.*, reported in *London Times*, Aug. 3, 1886; W. J. Lavington to Registrar of Companies (London, May 2, 1893), Ouray Gold Mining Company, Ltd., C.R.O. 24513.

27. Pyramid Range Silver Mountain Company, Ltd., *Prospectus* (Jan. 1871); Lander City Silver Mining Company, Ltd., *Prospectus* (June, 1865).

28. James Hague to John H. Bird (London, May 10, 1871), copy, Hague Mss, Huntington Library.

29. A typical example was the United Arizona Copper Company, Ltd., registered in 1902. Included on the concern's board were the Earl of Oxford and Admiral Sir William Cecil Henry Domville of Ipswich. United Arizona Copper Company, Ltd., *Prospectus* (1902).

fashion could not hope to live up to promotional claims and left the average investor with a slim purse and an attitude which, in the words of a contemporary, "generally assays about two tons of regret to the square inch."<sup>30</sup>

Many joint stock enterprises collapsed from weaknesses in capital structure. While the nominal capital of a concern might vary between £100 at one extreme and £3,000,000 at the other,<sup>31</sup> the more typical company was capitalized at from £50,000 to £500,000. Likewise, share denominations ranged from one shilling to five hundred pounds, but the public showed a preference for those of one pound.<sup>32</sup> Regardless of that, most Anglo-western mining companies were overcapitalized, and despite numerous official and unofficial warnings, they invariably purchased mines at from three to ten times the price asked for the same property in America.<sup>33</sup> A Coloradoan was frank in addressing a prospective English promoter in this regard in 1871:

When you come here I should advise you to say nothing about buying mines as these Yankee fellows are all anxious to sell and the price they ask is all in proportion to the ability of the purchaser. I could buy a mine for 5000 dollars that they would ask you 50000 for.<sup>34</sup>

As a result, having plunged most of their capital into the purchase of property, most companies sorely lacked working capital. Next to the cry of "fraud" (usually unsubstantiated) the most common plea heard in company meetings in London was for additional operating funds.

30. Harry J. Norton, *A Bird's-Eye View of the Black Hills Gold Mining Region* (New York, 1879), 9.

31. Turquoise Syndicate, Ltd., *Memorandum of Association*, 1, C.R.O. 86874; Harney Peak Consolidated Tin Company, Ltd., *Notice of Increase of Capital* (Nov. 12, 1889), C.R.O. B24391.

32. Mineral Assets Company, Ltd., *Statement of Nominal Capital* (Nov. 18, 1898), C.R.O. 59582; Clifton Arizona Copper Company, Ltd., *Statement of Nominal Capital* (Dec. 24, 1900), C.R.O. B67811.

33. *Anglo-Colorado Mining and Milling Guide*, III (Feb. 24, 1900), 21; *The Statist*, Sept. 17, 1887; "Gold Queen," Ltd., *Memorandum of Agreement between Thomas Gilbert and the "Gold Queen," Ltd.*, C.R.O. B25811; *Ms Annual Report of Consul Booker on the Trade of California, 1871* (San Francisco, March 8, 1872), F.O. 115/540; *United States Report for the Year 1899 on the Trade of the Consular District of San Francisco*, Foreign Office, *Annual Series* No. 2506 (1900), 35.

34. W. West to George Heaton (Black Hawk, Colorado, March 8, 1871). Teller Mss.

Another factor contributing to a lack of success was the inability to find satisfactory solutions to problems of management across an ocean and three-quarters of a continent. Boards of direction selected for their appeal to the "lord-loving public," rather than for administrative or mining experience, too often proved inept or disinterested. Most concerns refused to entrust their property to unpredictable Yankees and insisted instead on British engineers or mine captains. Probably the majority of such men sent from the home islands were well-trained and competent; indeed, many of them would have been regarded as top-flight mining experts in any setting. Many of them brought with them ideas and processes stemming from years of experience in mines and smelters the world over and were to be of more than passing importance for their contributions to the development of the trans-Mississippi West.

But a sizable minority were neither able nor qualified for the positions of responsibility they were sent to fill. To the end of the era, British companies never completely discarded the idea "that a man having been a Sunday school teacher, or a most exemplary tradesman, or a needy relative of the president, or one of the directors is sufficient qualification to enable him to manage a mine successfully."<sup>35</sup> Nepotism was common; so were misfits. One manager came to Colorado in order to work off a debt he owed to the chairman.<sup>36</sup> Another in the same region was by profession a druggist;<sup>37</sup> one in Nevada, a dentist.<sup>38</sup> James Thomson, a well known poet and professional pessimist, acted as a company agent in the Rockies for the better part of a year and attended practically every social function in Central City during his stay, but contributed nothing to the cause of his firm.<sup>39</sup> On the other hand, amateurism need not always be a liability. Edward Probert, ordained minister and formerly chaplain to the Duke of Northumberland, served nearly a quarter of a cen-

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35. William Weston to editor, *Mining Journal*, May 7, 1881, 561.

36. Thomas A. Rickard, *Retrospect* (New York & London, 1937), 35.

37. *Mining Journal*, July 3, 1874, 732.

38. *Ibid.*, Feb. 3, 1872, 95.

39. Two of Thomson's diaries—one personal and one dealing with business matters of the Champion Gold and Silver Mines of Colorado, Ltd.—are in the Bodleian Library, Oxford University.

tury—and served well—as manager of the successful Richmond Consolidated Mining Company, Ltd., in Nevada.<sup>40</sup>

Many English shareholders agreed that the honesty of their managers varied inversely with the distance between the mine and the London office. Men sent out from England came to feel “like the beggar sat on horseback,” complained one chairman, “and the consequences are most disastrous.”<sup>41</sup> If the mines were located in Britain, there would be plenty of honest men available, insisted another, “but somehow or other there is something in the atmosphere of Utah so extraordinary that they no sooner get there than they become utterly corrupted.”<sup>42</sup> Distance brought a certain independence, noted a shareholder of an Anglo-Nevada firm, that “comes over a man when he finds he has neither a soul to be saved nor a stern to be kicked.”<sup>43</sup>

British investors could point to many examples—often taken out of context—of incompetent or unrestrained mine managers. One enthusiastically reported huge new gold finds that turned out to be iron pyrites;<sup>44</sup> another purchased a furnace site five hundred miles from his company’s mines, paying \$26,000 for property which had shortly before been offered to an American group for \$11,000;<sup>45</sup> a third was charged with completely bungling his work at the mines while expertly “smelting” all the silver out of shareholders’ pockets.<sup>46</sup> Others were accused of neglecting their jobs in favor of the whiskey shop or the billiard saloon or to engage in riding, hunting, or what has been described as “the gallant pursuits.”<sup>47</sup> Many were condemned for their failure to submit regular accounts and for keeping the home office unin-

40. *The Statist*, Dec. 3, 1887; *Mining Journal*, Jan. 18, 1873, 60; Richmond Consolidated Mining Company, Ltd., *Annual Report*, year ending Feb. 28, 1900.

41. Report of meeting of the Saturn Silver Mining Company of Utah, Ltd. (Jan. 12, 1874), *Mining World*, Jan. 17, 1874, 139.

42. Report of meeting of the Flagstaff Silver Mining Company of Utah, Ltd. (April 16, 1874), *ibid.*, Apr. 18, 1874, 715.

43. Report of meeting of the South Aurora Silver Mining Company, Ltd. (Nov. 6, 1872), *ibid.*, Nov. 9, 1892, 1681.

44. Report of meeting of the Saturn Silver Mining Company of Utah, Ltd. (Dec. 9, 1872), *ibid.*, Dec. 14, 1872, 1928-1929.

45. *Ibid.*, March 7, 1874, 470.

46. “Englishman” to editor (Feb. 17, 1874), *ibid.*, Feb. 21, 1874, 371.

47. *Ibid.*, Dec. 6, 1873, 1151. See also: *Mining Journal*, Aug. 29, 1874, 931; *Colorado Miner*, June 25, 1887.

formed for months at a stretch. At the same time, others could be criticized for their casual misrepresentation of the condition of the company property: success was around the immediate corner, they almost invariably predicted. One more small capital outlay would assuredly lead to lush profits.<sup>48</sup>

In attempts to solve the problem of control across distance, British firms utilized several approaches, but none with unabridged success. They endeavored to hedge in their managers with intricate but unenforceable regulations demanding strict and regular accounting of all work done and every shilling spent.<sup>49</sup> They tended to pay higher salaries in the misplaced assumption that more pay meant superior men. They sometimes put reputable British engineering firms in charge, but this meant extra costs. They dispatched roving directors to keep an eye on the mines from time to time, but the typical uninformed "guinea pig" director<sup>50</sup> could easily be misled by any ordinary manager. Never, throughout the period, did British absentee owners find a satisfactory method of choosing and retaining competent supervisory personnel over whom real authority could quickly and readily be exercised.

If by chance an Anglo-American concern were fortunate enough to have acquired paying property, had sufficient capital to work it, and a trustworthy manager of ability, it might well be sure of being dragged through legal proceedings of some sort. With the first rays of prosperity in flocked the vultures of the mining world, eager to pick clean its corporate bones. A discouraged British investor and visitor to the Rockies commented in 1879:

In the present miserable state of the mining laws in Colorado, any English capitalist is a downright fool to buy a mine in this district; for the moment he proves it a good one, all the

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48. See: Tarryall Creek Gold Company, Ltd., *Annual Report*, year ending June 30, 1891; Poorman Gold Mines, Ltd., *Circular to Shareholders* (June 28, 1901); Alfred H. Oxenford to William Read (London, July 10, 1891), Read Mss, Bancroft Library.

49. See, for example, Eberhardt and Aurora Mining Company Ltd., "Committee's report on system of returns on working at mines," (n.d.), Read Mss.

50. The term "guinea pig" was applied to men of public stature who joined company directorates for the use of their name and who normally received the sum of one guinea for each directors' meeting attended.



swindling sharks for fifty miles around appear, and combine to oust him legally, or in a few instances even by force. . . . Lawyers in high official positions actually buy claims adjacent to English ones to raise a disputed boundary question. . . .<sup>51</sup>

Unfortunately much of the indictment was true. Again and again, British concerns were willing to apply the old adage of "if you can't lick 'em, join 'em," and were inclined to compromise and purchase adjoining claims rather than risk expensive litigation.<sup>52</sup> Those preferring to fight their cases through the courts found this avenue costly and not always certain. In the twenty-seven months prior to September 30, 1886, the Arizona Copper Company, Ltd., recorded legal expenses of \$23,544.42.<sup>53</sup> In a quarter of a century of running litigation with an American claimant, the Montana Mining Company, Ltd., expended an estimated \$400,000 in defense of its title, only to lose the decision and its property in 1913.<sup>54</sup>

To be sure, litigation was the bane of the mining world and was by no means confined to British firms in the West. But English companies, because of their general lack of familiarity with the labyrinths of American mining law, were particularly susceptible to legal ensnarlements. The adverse effects of this were to act as a brake to discourage investments from abroad, as well as literally to force a number of concerns from the western field.<sup>55</sup>

Probably federal restrictions did not deter investments or bring corporate failure to any great extent, except indirectly, protests of interested bystanders to the contrary notwithstanding. By law no alien or alien corporation could locate a mining claim or obtain a patent directly from the government, although a foreign concern could always acquire pat-

51. Samuel N. Townshend, *Colorado: its Agriculture, Stockfeeding, Scenery, and Shooting* (London, 1879), 63, 64.

52. Report of meeting of the Richmond Consolidated Mining Company, Ltd. (Dec. 3, 1872), *Mining World*, Dec. 7, 1872, 1878; *London Times*, July 20 & Nov. 12, 1872; Statistics of Mines and Mining in the States and Territories West of the Rocky Mountains, *House Executive Document* No. 159, 44th Congress, 1st Session (1875-1876), 298.

53. Arizona Copper Company, Ltd., *Annual Report*, year ending Sept. 30, 1886.

54. Report of the Extraordinary General Meeting at Merchants' Hall, March 18, 1913, reprinted from the *Mining World*, March 22, 1913.

55. *Colorado Miner*, May 15, 1875; North American Exploration Company, Ltd., *Annual Report*, year ending Dec. 31, 1898.

ented property from an American citizen.<sup>56</sup> In actual practice because decisions of the Land Office and of federal courts were not ordinarily enforced,<sup>57</sup> British firms often left title in American hands while patents were being obtained.<sup>58</sup> But rather than resort to this subterfuge and run even the slightest risk of confiscation, many English companies were careful to purchase patented claims at the beginning. Thus, since patented property was more expensive than unpatented, federal mining laws indirectly contributed to boosting prices against foreign firms. Attempts of the Foreign Office to intercede in favor of modification that would permit aliens to obtain patents directly met with no success.<sup>59</sup>

The controversial Alien Land Law, which in 1887 technically barred any foreign citizen or corporation from acquiring or holding real estate in the territories,<sup>60</sup> presented no real threat to British mining interests. It was not retroactive and might easily be evaded by leasing rather than buying property or by the established device of leaving title in the name of subsidiary concerns or American managers. Thus, when the Buster Mines Syndicate, Ltd., was formed in 1892 to acquire copper interests in Arizona, the promoter agreed to give the company a ninety-nine year lease immediately and full title "as soon as Arizona is admitted as a State"—all for the bargain price of \$32,000.<sup>61</sup> Another Anglo-Southwestern concern, the Harquahala Gold Mining Company, Ltd., a year later signed a working agreement with an American firm, paying £270,000 in exchange for 97½ per cent of the firm's profits for a period of forty-two years.<sup>62</sup> Although

56. Act of May 10, 1872, 17 U.S. Statutes, 91, 94.

57. *Lee v. Justice Mining Company*, 29 *Pacific Reporter* (1892), 1020-1021; 10 *General Land Office Decisions* (1890), 641-642.

58. *Mining World*, Nov. 22, 1873, 1044; *Mining Journal*, Aug. 15, 1874, 889; De Lamar Mining Company, Ltd., Memorandum of Agreement (March 2, 1891) between the Mining and Financial Trust Syndicate, Ltd., and Thomas Major, C.R.O. 33492.

59. See: *Congressional Record*, Jan. 11, 1875, 361; Sir Edward Thornton to Lewis Chalmers (Washington, Jan. 31, 1875), draft, F.O. 115/596; Lord Derby to Thornton (London, March 11, 1876); Thornton to Derby (Washington, March 27, 1876), F.O. 5/1543.

60. Act of March 3, 1887, 24 U.S. Statutes, 476-477.

61. Buster Mines Syndicate, Ltd., *Prospectus* (1892). On the back of this prospectus is written in ink the Memorandum of Agreement (April 8, 1892) between Frederick C. Beckwith, the vendor, and James Shearer, representing the company.

62. Skinner, *Mining Manual* (1894), 159; Harquahala Gold Mining Company, Ltd., Memorandum and Articles of Association, 1, C.R.O. 39025.

territorial legislatures complained bitterly that the act was blocking much British investment,<sup>63</sup> over twice as much British mining capital came into the territories in the three and a quarter years immediately following the law's enactment as came in the corresponding period just before.<sup>64</sup>

Failure, then, might be attributed to any one or a combination of several causes, of which federal policy was unimportant: a certain amount of chicanery—or at least misrepresentation; overcapitalization, yet a lack of working capital; exorbitant prices paid for property; the perils of management across vast distances; and the perplexities of American mining law. More basic was the fact that mining in general is fundamentally the story of risk. There was much truth in the old miners' proverb that only a fool predicted beyond the end of his pick. An innate gambling spirit and the hope of striking the mineralogical jackpot prompted many an investor to plunge on the market, often with little distinction between undeveloped mines and those actually producing. British investment was but part of the larger whole; part of the unchecked plundering of America's natural resources at an unprecedented rate; part of what Vernon L. Parrington calls the "Great Barbecue." Human nature being what it is, if investors—British or otherwise—stood too close to the pit and were singed, that was not unexpected.

BRITISH JOINT-STOCK COMPANIES REGISTERED TO  
OPERATE MINES OR MILLS IN ARIZONA AND NEW  
MEXICO, 1860-1914<sup>65</sup>

<i>Companies formed to operate in Arizona</i>			<i>Nominal</i>
<i>Name of Company</i>	<i>Year</i>	<i>Active?</i>	<i>Capital</i>
Anglo-American Copper Company	1905	Yes	£ 2,100
Argyle Mining Company*	1900	No	100,000

63. See Memorials to Congress in *Laws of Montana Territory*, 15th Extraordinary Session (1887), 111-112; *General Laws of the Territory of Idaho*, 15th Session (1888-1889), 70-71; *Laws of the Territory of Utah*, 28th Session (1888), 220-221; *Laws of New Mexico*, 28th Session (1889), 364.

64. Six companies, capitalized at £1,150,000, were formed in the period just prior to the enactment of the law; sixteen, with a capital of £2,934,000, in the comparable three and a quarter years following. Dakota and Montana have been excluded because of their statehood beginning in 1889.

65. Companies whose names are followed by an asterisk were registered in Edinburgh; the remainder were registered in London, except for Omnium Francais Minier, Ltd., which was incorporated in the Isle of Guernsey. Indentations represent reconstructions of earlier companies.

<i>Name of Company</i>	<i>Year</i>	<i>Active?</i>	<i>Nominal Capital</i>
Arivica Mining Company	1869	No	200,000
Arizona Consolidated Copper Mines	1899	Yes	150,000
Arizona Copper Company*	1882	Yes	875,000
Arizona Copper Company*	1884	Yes	715,000
Arizona Mortgage Corporation	1899	No	10,000
Arizona Trust and Mortgage Company	1883	Yes	360,000
British Arizona Company*	1913	Yes	25,000
Buster Mines Syndicate	1892	Yes	15,000
Canada Del Oro Mines	1891	Yes	30,000
Tucson Mining and Smelting Company	1894	Yes	20,000
Catalina Gold Mines	1893	Yes	25,000
Catoctin Silver Mining Company	1891	No	25,000
Clifton Arizona Copper Company	1900	Yes	10,000
Clifton Consolidated Copper Mines of Arizona	1901	Yes	500,000
Clifton Gold Mining Company	1894	No	2,000
Clifton-Morenci Syndicate	1910	No	20,000
Cochise Mill and Mining Company	1892	No	30,000
Colorado Copper Company	1867	No	150,000
Continental Finance Syndicate	1902	Yes	12,000
Copper Queen	1884	No	500,000
Copper Queen United	1885	No	350,000
Elkhart Mining Corporation	1900	Yes	300,000
Globe Mineral Exploration Company	1898	Yes	50,000
Gold-Basin Mining Company*	1896	No	150,000
Golden Reefs	1895	No	50,000
Golden State Mines	1897	Yes	100,000
Grand Canyon Mining Company of Arizona	1890	Yes	75,000
Harquahala Gold Mining Company	1893	Yes	300,000
King of the Hills Gold Mining Company	1899	Yes	80,000
Jersey Lily Gold Mines	1895	Yes	150,000
Kaiser Gold Mines	1888	No	200,000
Keating Copper Syndicate	1913	Yes	11,000
Leland Stanford Gold Mining Company	1895	Yes	60,000
Lynx Creek Gold and Land Company	1890	Yes	80,000
Lynx Creek Gold Mining Company	1896	Yes	50,000
Mammoth-Collins Gold Mines	1895	Yes	100,000
Mammoth Gold Mines	1889	Yes	500,000
Mineral Hills Copper Syndicate*	1900	Yes	5,000
Monte Cristo Mining Company	1900	Yes	100,000
Morenci and General Trust	1900	Yes	50,000
Morenci Copper Mines	1899	Yes	100,000
New Arizona Syndicate	1912	No	2,000

<i>Name of Company</i>	<i>Year</i>	<i>Active?</i>	<i>Nominal Capital</i>
New London Mining Company	1907	Yes	20,000
Northern Syndicate	1887	Yes	25,000
Old Guard Mining Company	1887	Yes	200,000
Occident Gold Mining Company	1912	Yes	20,000
Omnium Francais Minier	1903	Yes	320,000
Prescott Development Company*	1895	Yes	100,000
Ray Copper Mines	1899	Yes	360,000
Rich Hill Gold Mines	1892	No	80,000
Santa Catalina Gold and Silver Mining Co.	1888	No	225,000
Silver Bell Mining and Smelting Company	1890	Yes	170,000
Spanish King Mining Company	1912	No	1,000
Star Syndicate	1889	Yes	not set
Storm Cloud Gold Mines	1888	No	100,000
Storm Cloude Syndicate	1893	No	50,000
Syndicate No. 1	1899	Yes	1,000
Tinto Copper Mines	1895	Yes	100,000
Tubac Mining and Milling Company	1870	No	50,000
Tumacacori Mining and Land Company	1879	Yes	no information
Sonora Company	1874	No	1,000,000
Turquoise Syndicate	1905	No	100
United Arizona Copper Company	1902	Yes	200,000
Victorian Mine Syndicate	1890	No	not set
Western Syndicate	1887	No	25,000
Total for Arizona			£9,686,200
<i>Companies formed to operate in New Mexico</i>			
Aztec Gold Mines	1893	Yes	100,000
Carlisle Gold Mining Company	1886	Yes	200,000
Cerrillos Mining Company	1889	Yes	40,000
Geronimo Gold and Silver Mining Syndicate of New Mexico	1899	Yes	20,000
Golden Leaf	1889	Yes	350,000
Grand Central Silver Mines	1891	Yes	200,000
Lady Franklin Mining Company	1886	Yes	200,000
Little Wonder Gold Mines	1900	No	30,000
London and New Mexico Company	1883	No	1,000
New Mexican Copper Company	1898	No	100,000
Turquoise Mines (Calaite)	1900	No	60,000
Turquoise Syndicate	1897	Yes	10,000
Total for New Mexico			£1,311,000
Total for New Mexico and Arizona (79)			£10,997,200

## FRANK BOND: GENTLEMAN SHEEPHERDER OF NORTHERN NEW MEXICO, 1883-1915

By FRANK H. GRUBBS

4. A. MacArthur Company

FRANK Bond had arrived in the Territory of New Mexico as an alien, holding Canadian citizenship. Grateful to the country that had rewarded his diligence with generous success, he promptly applied for United States citizenship. In the due course of time his final admission papers were issued, and he became a full citizen, appropriately enough, in August, 1890,<sup>1</sup> just about the time that he and George Bond were beginning to explore the possibility of establishing the first branch of G. W. Bond & Bro.

At this time, John Justus Schmidt was operating a general store in Wagon Mound, New Mexico. A German immigrant who had arrived in the Territory in 1870, Schmidt had also operated a store in Watrous, New Mexico. He had developed a highly successful merchandise business in Wagon Mound, built a large store building and warehouse, and was considered one of the foremost merchants in that area. In addition to the merchandise business, Schmidt traded in sheep and wool and kept some sheep on rent. Among his renters was a *partidario* named J. D. Gallegos who thought he might better his position by very quietly moving to Raton and taking the Schmidt sheep along with him. In order to prevent the loss of his sheep, Schmidt obtained a restraining order from the court in Las Vegas, much to the chagrin of Gallegos who followed the Schmidt family on July 1, 1892, as they drove out to inspect some wells in which they had an interest. Threatened with a rifle, Schmidt jumped from the buggy and Gallegos shot him. The buggy team ran away with Mrs. Schmidt who in her panic threw the baby out. Before expiring, Schmidt shot the unruly sheep renter with a derringer.<sup>2</sup>

1. Certificate of Admission to Citizenship, Terr. of N. Mex., First Judicial District, County of Santa Fe, August 14, 1890, Bond Papers, *loc. cit.* Bond's residence and moral character witnesses were E. N. Reaser and Pedro Y. Jaramillo.

2. Interview with E. W. Howe, Wagon Mound, New Mexico, April 27, 1957; Helen

Thus the first branch of G. W. Bond & Bro. began in truly western fashion, for the widowed Mrs. Schmidt sold the entire business to the Bonds later that same year.<sup>3</sup>

The new Wagon Mound business was also called G. W. Bond & Bro. and was located in the store building at the corner of Catron Avenue and Railroad in Wagon Mound, New Mexico, the property being purchased in the names of G. W. Bond and Frank Bond and their wives, Agnes D. Bond and May Anna Bond.<sup>4</sup>

No record now exists of the exact price paid for the Schmidt business, but the original price paid for the property appears to have been \$3,000 or \$3,500. The total initial investment in the venture was about \$40,000, the major portion of the capital being supplied by the Espanola firm, lesser sums being invested personally by the brothers as equal partners. In addition to the direct loan from Espanola, the elder Mr. Bond in Canada invested \$8,000 in the business, receiving a note from his sons.<sup>5</sup> At the end of 1893, the first year of business, the Bond investments before distribution of profits appeared as shown in Table 17.

TABLE 17  
BOND INVESTMENTS IN WAGON MOUND

	Amount
G. W. Bond & Bro., Espanola .....	\$26,919.29
G. W. Bond .....	1,676.12
Frank Bond .....	2,556.77
G. W. Bond, Canada .....	8,000.00
Total	<u>\$39,152.18</u>

The history of the Wagon Mound store is interwoven with two men of considerable executive ability who exerted important influences on the company through the years.

Haines, *History of New Mexico* (New York: New Mexico Historical Publishing Co., 1891), p. 455; *An Illustrated History of New Mexico* (Chicago: The Lewis Publishing Co., 1895), pp. 373-374. Versions of this story vary slightly in details, and since Howe's recollection of the event is recorded nowhere else in the literature of New Mexico history, that is the one recited here.

3. E. W. Howe, personal letter, May 8, 1957.

4. Warranty Deed, August 13, 1903 (in files of Vorenberg Bros., Wagon Mound, New Mexico).

5. *Records, loc. cit.*

These were Archibald (Archie) MacArthur and Manuel Paltenghe.<sup>6</sup> MacArthur was an old friend of the Bond family and came down from Quebec during the second year of operation, in 1894, to work in the Wagon Mound store.<sup>7</sup> He later became a principal stockholder, and the business, still bearing his name, is presently operated by his son, Archibald Stuart.

Manuel Paltenghe was a native of Wagon Mound and the son of a local butcher, Alex Paltenghe. Born in 1873, he worked for J. J. Schmidt beginning in about 1888, carried over to work for the new owners, and later rose to become an active partner in the business.<sup>8</sup>

Management of the new Wagon Mound store was taken over by G. W. Bond who moved to Wagon Mound from Espanola, leaving Frank to manage the firm there. A partnership organization until it was incorporated in 1904, no trace of a written partnership agreement has been found, and it is highly unlikely that one did in fact exist. The individual investment accounts varied widely during the eleven years of partnership existence, but profits were always divided evenly between the partners at the end of each year. As a general rule, however, Frank Bond left his profits in the business and let them accumulate; George, on the other hand, had occasion from time to time to withdraw large sums from his account, replacing them in whole or in part as the needs of the business demanded. Table 18 reflects the partnership investment before distribution of profits at the end of the years indicated.

TABLE 18  
WAGON MOUND INVESTMENT ACCOUNTS  
(dollars in thousands)

End of Year	G. W. Bond	F. Bond
1893	\$ 1.7	\$ 2.6
1894	4.5	5.6
1895	12.6	14.0

6. Pronounced "pat-ten-gay."

7. Interview with Stuart MacArthur. But cf., Davis, *op. cit.*, p. 1870, recording MacArthur's arrival in Wagon Mound in 1890. Since the store was not operated by the Bonds until 1893, serious doubt is cast upon the 1890 date.

8. Interview with E. W. Howe.



End of Year	G. W. Bond	F. Bond
1896	12.1	20.1
1897	5.2	23.6
1898	23.6	38.9
1899	19.2	42.6
1900	28.0	52.1
1901	-----	-----
1902	-----	-----
1903	20.4	53.5

During this period a continuing necessity existed for capital support of the Wagon Mound store by the Espanola business as well as through short term cash borrowings from the bank and also from George William Bond in Canada, as shown in Table 19. The note in favor of G. W. Bond in Canada was carried through the years as an investment by the elder Mr. Bond rather than through any real requirement of the business. The note carried interest at 4 per cent and seems to have been finally paid in 1914, although the records are not perfectly clear on this point.

The principal activity at Wagon Mound was the sale of general merchandise, but sheep were traded by the Bonds at least as early as 1894, there being \$3,300 worth of sheep in feed lots in Fort Collins, Colorado, during the winter of 1894-1895. A significant investment in sheep continued throughout

TABLE 19  
MAJOR LIABILITIES AT WAGON MOUND  
(dollars in thousands)

End of Year	G. W. Bond & Bro. Espanola	G. Wm. Bond Canada	Other Bills
1893	\$26.2	\$8.0	\$ 0.0
1894	32.8	5.0	3.0
1895	40.4	5.8	5.0
1896	47.0	5.0	.0
1897	47.0	5.5	.0
1898	48.4	5.0	10.0
1899	48.3	5.0	14.5
1900	47.2	5.0	30.0
1901	47.4	-----	-----
1902	50.0	-----	-----
1903	53.2	5.0	.0

the period under study, ranging from a low of \$20 at the end of 1893 to a high of more than \$46,000 at the end of 1898. The year-end investment in sheep fluctuated due to variations in the flocks and the delivery schedule of sheep sold, but the year-end balances largely reflect the extent of feeding operations undertaken in the winter. The sheep investment during the eleven years of the partnership reflected a steady growth throughout the period, but when the business was incorporated in 1904, the sheep account was transferred completely out, possibly to Roy, New Mexico. However, after that time, the Wagon Mound sheep investment account began to grow steadily again, and by 1914 it was more than it had been at the end of the partnership in 1904.<sup>9</sup>

Detailed profit data for the years prior to 1912 are not available, but a comparison of profits on merchandise, sheep, and wool for the years as indicated in Table 20 reveals that profits from sheep did not exceed the profits from the mercantile business until 1914, and it is highly probable that the earlier years reflected the same condition.

TABLE 20  
WAGON MOUND NET PROFIT FOR SELECTED YEARS

Year	On Merchandise	On Sheep
1912	\$18,104.61	\$ 4,098.83
1913	26,925.83	4,269.40
1914	5,624.06	13,028.55
1915	11,152.56	15,604.66

The precise way in which the Wagon Mound sheep business was carried on is not known since the sheep on hand and those rented out were generally combined, and due to early profit data being unavailable the exact extent of trading is unknown. However, it is fairly clear that flocks were not rented out to *partidarios* to any significant extent until about 1895. Some notion as to the size of the rented flocks can be gained from Table 21. Data for other years are unavailable.

9. *Records, loc. cit.*

TABLE 21  
WAGON MOUND *PARTIDA* FOR SELECTED YEARS

Year	Sheep
1900 .....	30,000
1903 .....	20,000
1913 .....	12,000 <sup>a</sup>
1915 .....	10,654

a. Rented at 20 lambs per 100 ewes. *Letter Book No. 6*, January 10, 1914.

Trading in wool by the Wagon Mound store continued to be of a relatively minor nature. George got off to an inauspicious start in 1895 when he wrote off to profit and loss "over \$2,000.00 for wool as we are doubtful of getting anything further out of consignment of last August. We are sure not to unless the tariff bill passes."<sup>10</sup> Profits on the sale of wool during the years from 1912 to 1915 averaged about \$3,500 a year. Wagon Mound wool was generally marketed in Boston, but some was also shipped to the scouring mill in Trinidad, Colorado.<sup>11</sup>

The mercantile business flourished, however, and it accounted for the major portion of the profits, exhibiting a steady and healthy growth. The only available profit data on this activity are presented in Table 20, *supra*, but the year-end investment in merchandise inventory is noteworthy and is presented in Table 22.

No absolute reason can be advanced as to why the merchandise inventory was valued at zero at the end of 1903, but it may have been due to a fire loss suffered in that year. It is interesting to note that the merchandise inventories were valued at ninety cents on the dollar in 1897, seventy-five cents in 1898, and ninety cents in 1899. That portion of the merchandise inventory that may have been on consignment was usually reflected as a liability.

Conservatism in asset valuation is further indicated by the fact that open accounts receivable were usually valued at seventy-five cents as were bills receivable, except that prior to 1900 bills were examined individually and only those considered to be actually collectible were reported as a receivable.

10. *Ibid.*

11. *Ibid.*; *Infra*, chap. viii.

In later years, beginning about 1912, the value placed on bills and accounts was increased to ninety cents on the dollar. After 1912, real estate and merchandise inventories were valued at seventy-five per cent of book cost.

TABLE 22  
INVESTMENT IN MERCHANDISE INVENTORY,  
WAGON MOUND

(dollars in thousands)

End of Year	Amount
1893 .....	\$17.9
1894 .....	19.5
1895 .....	21.6
1896 .....	16.8
1897 .....	27.4
1898 .....	28.9
1899 .....	33.8
1900 .....	28.9
1901 .....	. . .
1902 .....	. . .
1903 .....	.0
1904 .....	17.1
1905 .....	22.3
1906 .....	28.6
1907 .....	33.4
1908 .....	35.7
1909 .....	34.3
1910 .....	31.4
1911 .....	30.5
1912 .....	32.9
1913 .....	40.6
1914 .....	43.7
1915 .....	46.0

Activity at Wagon Mound was by no means limited to merchandise, sheep, and wool. No respectable opportunity that promised a return of profit was denied so long as the risk was reasonable and the expected return was commensurate with the risk. The regular mercantile lines were supplemented with lumber, hay, wagons, and beans, there being almost \$3,000 in beans on hand at the end of 1911. Investments were made intermittently, but frequently, in horses, mules, and cattle as well as hides and pelts beginning in 1914. These inventory figures are typical and are quoted in Table

23 for comparison with those of the regular mercantile line. In 1914 a profit of \$69.50 was realized from the sale of cream and \$253.00 from the sale of bones; the previous year saw \$890.00 made on the sale of rams.<sup>12</sup>

TABLE 23  
COMMODITY INVESTMENT, WAGON MOUND\*

Item	Amount
Lumber .....	\$1,500
Hay .....	2,500
Beans .....	3,000
Hides .....	150

a. No specific years are represented. These are typical amounts.

In accordance with Bond's general policy, cash balances on hand were maintained at a low level, year-end balances rarely exceeding \$1,200 and more frequently being in the \$500-\$750 range. Cash deposits were initially maintained in the San Miguel National Bank, but this account was closed in 1894. Thereafter, the depository bank was the First National Bank in Las Vegas, New Mexico. Overdrafts in the bank account were not uncommon, ranging as high as \$4,000 in early 1900.<sup>13</sup>

The real estate account included the store buildings and was not depreciated during the twenty-three years under study except that in 1912, 1913, and 1914, the investment was valued at 75 per cent of cost. The same is true of the store and warehouse furniture account. Initial investment in store property was \$3,976, and additional costs of about \$1,600 were capitalized the following year, 1894. By 1898 the account had increased to nearly \$8,000 and \$3,000 more was added in 1899. Just what this additional investment represented is unknown. However, the investment in store buildings and furniture was completely written off in 1903, presumably due to the fire. After the business was incorporated, the new investment was \$4,721 in real estate and \$1,357 in furniture, increasing gradually through the following years but never exceeding about \$11,000 for both accounts.<sup>14</sup> In 1913, the directors authorized Andy Wiest to

12. *Ibid.*

13. *Ibid.*

14. *Ibid.*

proceed with the erection of an addition to the main store building, and this accounted for an increase of about \$2,500 in that year.<sup>15</sup>

Investments in outside real estate were not to be ignored. Some real estate possibly was acquired in connection with the settlement of accounts in the store since by far the largest part of sales were on credit, and the collection of some accounts occasionally forced the owners to take over ranch property although it was usually done unwillingly due not only to the risk involved and the time and effort necessary to sell it, but also to the Bonds' reluctance to take such drastic steps against their customers and friends. Instances are cited elsewhere to illustrate the endless patience yet dogged persistence exercised in connection with credit problems.

Investment in property by G. W. Bond & Bro., Wagon Mound, included about \$300 in the Trujillo Ranch from 1896 to 1899 and the Mogote and Vermejo Ranches during the same period for approximately \$1,000 each.

A larger investment was made about the turn of the century in the eastern plains region when the Esteros Ranch was purchased for \$6,800. This ranch, lying near Esteros Lake, was about fifteen miles northwest of Santa Rosa, in Leonard Wood County.<sup>16</sup> Whether the Esteros Ranch was situated wholly within the Anton Chico Grant or the Preston Beck Grant is not clear, but the entire area was of growing interest to George and Frank Bond for in 1900 they made an important addition to their holdings by purchasing the Preston Beck Grant.

The grant had been officially designated as the *Hacienda of San Juan Bautista del Ojito del Rio de las Gallines* when it was made to Juan Estevan Pino in 1823. His heirs sold the grant to Preston Beck, and it was confirmed to Preston Beck, Jr., in 1860.<sup>17</sup> The Bonds bought the grant, however, from some unidentified parties in California, working through Hugh Loudon who was at the time manager of the Scottish

15. Minutes of Regular Annual Meeting, March 1, 1913 (in the files of the A. MacArthur Company, Wagon Mound, New Mexico).

16. The present Guadalupe County was formerly known as Leonard Wood County.

17. *History of New Mexico, Its Resources and People* (Los Angeles: Pacific States Publishing Company, 1907), II, 176.

Mortgage and Land Investment Company of New Mexico, in Las Vegas.<sup>18</sup> The property purchased consisted of 62,901 acres of land lying partly in Leonard Wood County and partly in San Miguel County, directly north of Santa Rosa.

The Bonds paid \$43,000 for the grant property and expected that the proceeds from its resale would more than cover their anticipated losses on the Esteros Ranch which they did not consider to be worth its cost.<sup>19</sup> The Esteros Ranch and the Beck Grant investments were therefore combined,<sup>20</sup> representing a total investment of \$49,933.38, and when the Wagon Mound store was reorganized in 1904 and G. W. Bond moved to Trinidad, this investment was transferred from the Wagon Mound investment to the Trinidad books of G. W. Bond & Bro. The grant was rented to J. D. Hand who was given an option to buy the grant at \$1.60 per acre, to be paid \$10,000 down, \$15,000 on delivery, and the balance at 6 per cent interest.<sup>21</sup> The Bonds wanted to net \$1.50 per acre on the grant, but when it was finally sold in 1907, their hopes were not realized and they profited only \$20,680.

In 1899 G. W. Bond & Bro., Wagon Mound, invested in a new business venture to be known initially as G. W. Bond & Bro. (later as Bond & Wiest) and located at Cabra Springs, New Mexico, on the Beck Grant discussed above.<sup>22</sup> This branch, in partnership with A. W. Wiest, is examined in detail elsewhere,<sup>23</sup> but like the Beck Grant, this store investment was transferred from the Wagon Mound books at the time of reorganization in 1904, being moved directly to the capital structure of the Bond & Wiest Company. Thus, from the first expansion of the Bond interests in Espanola to the Wagon Mound area, there arose the third G. W. Bond & Bro. store in New Mexico.

The fourth G. W. Bond & Bro. establishment also evolved

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18. Letter of Hugh Loudon to G. W. Bond & Bro., February 3, 1900, Bond Papers, *loc. cit.*

19. *Records, loc. cit.*

20. *Ibid.*

21. *Copy Book*, February 10, 1906, p. 550 (in the files of Bond & Wiest, Cuervo, New Mexico).

22. *Records, loc. cit.*

23. *Infra*, chap v.

directly from the Wagon Mound business and was located in Roy, New Mexico, a village of about 300 inhabitants in Mora County on the Dawson Railway running between Dawson, New Mexico, and Tucumcari.<sup>24</sup> This branch was put in sometime between 1900 and 1903, the exact date being undetermined. However, since the town was established by Frank and William Roy in 1902,<sup>25</sup> the Bonds must have opened up there either late in 1902 or early in 1903, and at the end of 1903 the accounts reflect an investment in buildings at Roy in the amount of \$6,537.24. This investment, along with the sheep, Cabra store, and the Beck Grant were transferred from the Wagon Mound books during the 1904 reorganization, and no further trace of the Roy property has been found. However, it was not, like the other G. W. Bond & Bro. establishments, a mercantile store. Rather it appears to have included only sheep facilities and range, there being some 2,854 sheep on rent there to George Gonzales from 1907 through 1910.<sup>26</sup>

During this era an unsolved mystery appears among the Bond records. It is in the form of a statement of the Dozier Curio business for the year 1903 which is presented in Table 24 and leaves many questions completely unanswered. Whether the Bonds owned a half interest in this store with C. L. Pollard or whether the Bonds were simply a creditor is uncertain. The implication, however, is that they had a definite interest in the business. No receivable is shown on the books of any other Bond store in existence at the time, nor as a matter of fact is the Dozier Curio business mentioned or even implied anywhere in the records. No one interviewed had ever heard of it, and indeed even its very location is unknown. The physical position and appearance of this statement, however, strongly suggests that this was a business in

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24. Max Frost and Paul A. F. Walter (eds.). *The Land of Sunshine* (Santa Fe: New Mexican Printing Company, 1904), p. 207.

25. New Mexico Folklore Society, *New Mexico Place-Name Dictionary*, First Collection-Committee Report, May 14, 1949, p. 23.

26. *Records, loc. cit.* Not solved is the question of why there would be over \$6,000 in a buildings account if there were no store. The records are extremely vague on the point, and while the preponderance of evidence seems to indicate that there was no mercantile establishment at Roy, there is some justification for suspecting that there may have been some kind of commissary facilities at least.



which the Bonds did in fact own an interest and concerning which they received financial data. We therefore put it down as being a part of the Bond system which, like the Bond Sheep Commission Company and the Roy branch, have all but faded into a forgotten past.

TABLE 24

STATEMENT OF THE DOZIER CURIO BUSINESS FOR 1903<sup>a</sup>

Assets		
Mdse on hand Dec. 31, 1903	\$799.09	
Book A/c s.	344.61	
Cash on hand	3.99	\$1147.69
Liabilities		
Due G. W. Bond & Bro.	\$282.45	
Due C. L. Pollard & Co.	487.74	
Due other parties	52.05	
Undivided Profits	325.45	\$1147.69

a. The statement is given in the table in exactly the same form as the original.

By 1903, the Wagon Mound partnership had grown to encompass not only the original store site but also three warehouse buildings located across the street on right-of-way property belonging to the Santa Fe Railroad. These three buildings were leased from the railroad, and the two which are still standing today are still under such a lease arrangement.<sup>27</sup> On August 3, 1903, the store buildings were sold on a Warranty Deed to Simon Vorenberg, and the warehouses were vacated on a Quit-Claim Deed in favor of Vorenberg.<sup>28</sup> The business was moved a short distance to the north into a building purchased from the Romero family at a cost of approximately \$4,700.<sup>29</sup>

Shortly after moving in, the new store building burned to the ground in the first of several serious fires the Bonds were to suffer and which served to make them highly conscious of adequate fire insurance coverage on their buildings, stock,

27. Interview with Walter Vorenberg, Wagon Mound, New Mexico, April 27, 1957.

28. Deeds dated August 3, 1903 (in the files of Vorenberg Bros., Wagon Mound, New Mexico).

In his biography of Simon Vorenberg, Coan (*loc. cit.*, p. 205) writes: "He purchased the C. [sic] W. Bond general store at Wagon Mound," implying that the Bonds sold the stock as well as the store buildings to Vorenberg. This detail is unresolved.

29. Interview with Stuart MacArthur.

and wool investments.<sup>30</sup> No evidence is available that would show whether or not this fire was adequately covered by insurance. However, since the real estate and merchandise investments do not appear in the accounts at the beginning of 1904, it can at least be assumed that the loss was sufficiently serious as to justify their write-off.

The increasing confidence which the Bonds placed in MacArthur is indicated by an arrangement that was made with him in 1898 whereby he was to receive 3 per cent of the annual profit. In that year this amounted to \$228.23, and the following year his participation in earnings was increased to 5 per cent, resulting in credits to him of \$997.02 in 1899 and \$678.60 in 1900. This confidence in MacArthur was climaxed when the fire loss occasioned the major reorganization mentioned above and which was marked by the establishment of a corporate structure to replace the partnership. The new company was capitalized at \$30,000 under the laws of the Territory of New Mexico on June 16, 1904, with 30,000 shares of one-dollar stock authorized and issued. Archie MacArthur and Manuel Paltenghe were admitted to the business, the former becoming the principal stockholder. Table 25 gives the respective interests of the incorporators at that time.

TABLE 25

## A. MACARTHUR COMPANY ORIGINAL STOCKHOLDERS

Name	Shares
A. MacArthur .....	12,000
Manuel Paltenghe .....	9,000
G. W. Bond .....	4,500
Frank Bond .....	4,500
Total	30,000

G. W. Bond was elected president of the A. MacArthur Company, as the new business was called, with Manuel Paltenghe as vice-president and A. MacArthur as secretary, treasurer, and general manager. This organization continued unchanged for the next seven and a half years. As general manager, MacArthur was to be paid a salary of \$1,400 per year and had "full authority to engage help and discharge

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30. *Ibid.*

same, sign checks, and do all business that would naturally fall to the manager and secretary.”<sup>31</sup> G. W. Bond, who had been at Wagon Mound since the business was started, now turned over active management of the store to MacArthur and moved to Trinidad, Colorado, where he continued his partnership relation with his brother and also entered into the investment and real estate business. From this time onward, although he retained an active interest in the various Bond enterprises, his influence was felt largely through Frank and from afar. Archie MacArthur remained at Wagon Mound in active control of the business.

In July, 1911, MacArthur became sick and required major surgery. Through Dr. Northwood, G. W. Bond proposed that the Bonds pay for the operation and all the attendant expenses, to which Frank readily agreed, pointing out that the expense should not be charged against the business but should be borne fully by themselves on a personal basis.<sup>32</sup>

In order to fill the vacancy left by MacArthur, Frank Bond brought in a temporary dry goods manager by the name of Flack from Colorado Springs, and herein lies another illustration of the Bond readiness to extend special consideration to those who merited extra help. Flack's wife was “kind of a damned fool—never wants Flack to be out of her sight”<sup>33</sup> and so in order to get Flack, Bond paid the travel and living expenses of Flack's wife to and from Colorado Springs while he was on the assignment.

MacArthur's incapacitation, of course, demanded a permanent replacement with not only a sound background in mercantile store management but also a thorough knowledge of sheep and wool husbandry. Such a replacement was found in the person of A. W. Wiest who had been actively managing the Bond & Wiest store at Cuervo, so it was decided that he would move to Wagon Mound, take over the management of the business there, and at the same time retain control of the Cuervo store.<sup>34</sup> Accordingly, for some time Andy Wiest

31. Minutes of Board of Directors' Meeting, June 16, 1904 (in the files of the A. MacArthur Company, Wagon Mound, New Mexico).

32. *Letter Book No. 6*, July 3, 1911.

33. *Ibid.*, July 8, 1911.

34. *Ibid.*

shuttled between the two stores at frequent intervals, managing both.<sup>35</sup>

A. MacArthur died in February, 1912,<sup>36</sup> just a few days after stock transfers were effected to bring A. W. Wiest formally into the business. No positive proof exists, but correspondence between Frank and George Bond in 1914 indicates that the funds for Wiest's stockholdings were loaned by the Bonds who took Wiest's note for the \$7,000, secured by the stock certificates and that later, in 1914, Andy Wiest proposed to declare a \$35,000 dividend in order to take up his indebtedness, even if it became necessary to borrow money in order to do it.<sup>37</sup>

Stock ownership now stood as displayed in Table 26, and except for shifts necessary to transfer MacArthur's interest to his heirs, no further changes were made during the period through 1915. MacArthur left behind him a widow and four children, Mary Catherine, Helen Elizabeth, Monica Louise, and A. Stuart.<sup>38</sup> The latter now operates the business in Wagon Mound.

TABLE 26  
A. MACARTHUR COMPANY STOCKHOLDERS AS OF  
JANUARY, 1912

Name	Shares
A. MacArthur .....	9,000
M. Paltenghe .....	7,000
G. W. Bond .....	3,500
Frank Bond .....	3,500
A. W. Wiest .....	7,000 <sup>a</sup>
Total	30,000

a. Three thousand shares were transferred from MacArthur, 2,000 from Paltenghe, 1,000 from G. W. Bond, and 1,000 from Frank Bond.

At a special stockholders' meeting held in January, 1912, just before MacArthur's death, A. W. Wiest was elected secretary, treasurer, and general manager while MacArthur was made second vice-president. Paltenghe, MacArthur, and Wiest were authorized salaries of \$1,800 per year, G. W.

35. *Letter Book No. 57*, April 26, 1915, p. 650.

36. Interview with Stuart MacArthur.

37. *Letter Book No. 6*, January 10, 1914; *Letter Book No. 51*, January 23, 1914, p. 59.

38. Stock Certificate No. 11 (in the files of the A. MacArthur Company, Wagon Mound, New Mexico).

Bond receiving nothing as president since he was now living in Boise, Idaho.<sup>39</sup>

The combination of Andy Wiest and Manuel Paltenghe raised some personnel problems which became serious enough in early 1914 to motivate Wiest's suggestion that Paltenghe be removed.<sup>40</sup> The seat of the difficulty is not clear but it seems to have stemmed from ill feelings between them of long standing. That Frank Bond found it necessary on at least one occasion to extract from Andy a promise to leave whiskey alone implies part of the difficulty;<sup>41</sup> on the other hand, Frank Bond considered him a particularly good financier<sup>42</sup> and after receipt of his 1914 statement he was well pleased with Wiest's performance.<sup>43</sup> Neither was Paltenghe without fault. An occasion arose in September, 1914, whereby Frank Bond sold some 2,500 ewes at Encino which had previously been mouthed by Paltenghe and were pronounced to be young ewes. Examination later revealed that 706 head were old ewes, including 150 gummers. Bond was highly critical of Paltenghe, saying:

I have always regarded him as a very trustworthy and honorable man, but I must say that I don't believe that any man could have mouthed that stuff and left in so many old ewes and which would be known as old ewes to any man who knew anything at all about sheep.<sup>44</sup>

Since in Bond's opinion both men had shortcomings as well as strong points, the difficulty, while serious, was probably one of personality conflict.

Frank Bond felt that all stockholders must be subordinated to the consideration that there must be harmony at Wagon Mound, and he seriously considered the possibility of a separate sheep company, not handling lambs or wool, with himself, George, and Manuel Paltenghe as partners, that would net about 12 per cent on their investment. This would

39. Minutes of Special Stockholders' Meeting, January 24, 1912 (in the files of the A. MacArthur Company, Wagon Mound, New Mexico).

40. *Letter Book No. 6*, January 10, 1914.

41. *Ibid.*, February 23, 1914.

42. *Letter Book No. 51*, January 28, 1914, p. 59.

43. *Letter Book No. 56*, January 19, 1915, p. 533.

44. *Letter Book No. 55*, September 30, 1914, p. 346.

have had the effect of separating Paltenghe from the Wagon Mound business and at the same time make room for Joe Holbrook to come into Wagon Mound from the Bond & Wiest store at Cuervo, a move recommended by Wiest.<sup>45</sup> It was suggested that Manuel Paltenghe could live somewhere else and visit the sheep camps once a month or so,<sup>46</sup> but none of these arrangements materialized and Paltenghe continued to hold his 7,000 shares of stock for another twenty-five years. However, it was undoubtedly from these considerations that the Bond Sheep Commission Company developed and came into existence.

The Bond Sheep Commission Company was set up as a joint venture of the A. MacArthur Company, Wagon Mound, and the G. W. Bond & Bro. Mercantile Company of Encino, New Mexico. Since G. W. Bond and Frank Bond were the major stockholders in the store at Encino (L. F. Nohl held only one share), the parties at interest in the Bond Sheep Commission Company were G. W. Bond, Frank Bond, A. W. Wiest, and Manuel Paltenghe. It was organized in 1913 for the purpose of buying a large herd of sheep as an investment. In June, 1914, Frank Bond wrote to Will McClure in Antonito, Colorado, saying that they had bred these particular sheep for a year "and are now cleaning up and dividing the profits."<sup>47</sup> At the time of writing the flock amounted to 4,000 ewes and 3,200 lambs, a total of 7,200 sheep.<sup>48</sup> It was from this herd that the 2,500 sheep were mouthed by Paltenghe and sold at Encino.<sup>49</sup> After the venture was completed sometime in 1914, the company ceased to exist and passed into history along with the Dozier Curio business as one of the shortest-lived and least known of the Bond enterprises. It was probably a profitable one, but no record remains to show its overall result.

Profitwise, the Wagon Mound business was successful right from the very start in 1893, realizing a profit of \$6,-123.64 during the very first year of operation, representing

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45. *Letter Book No. 6*, January 10, 1914; *ibid.*, January 20, 1914.

46. *Ibid.*, January 20, 1914.

47. *Letter Book No. 53*, June 12, 1914, p. 41.

48. *Ibid.*

49. *Letter Book No. 55*, September 30, 1914, p. 355.

a return of about 20 per cent on the total family interest.<sup>50</sup> During ten of the eleven years of partnership, the business earned for the two brothers a total of \$168,000, an average of \$8,400 per year to each of the partners from this one store alone.

Even though capital investments in the Wagon Mound venture came from three sources and in varying amounts, profits were divided evenly and credited to George and Frank Bond, none flowing back through the parent business to be reflected as income from an investment by the Espanola firm.

Table 27 compares the investment the Bonds had in the business from 1893 through 1903 both in terms of their partnership account and in terms of total investment including the capital support supplied from Espanola. Profits and profit relationships to financial interest are shown, both with respect to the proprietary accounts and to the total capital structure.

The profit picture after incorporation is unfortunately not so clear because profits for all years are not available. Table 28 shows the undivided profits for each of the twelve years from 1904 through 1915, but since the stockholders distributed profits to themselves in undetermined amounts, the data presented do not reflect earnings. Even disregarding the profit distributions that must have taken place from time to time, the increase in undivided profits during this period indicates an average increase of \$11,500 annually. However, it must be borne in mind that after 1904, the Bonds only received roughly one-fourth of the dividends. The profits for some years are known, however, and they provide an indication that the corporate period under MacArthur and Wiest was every bit as successful as was the previous period under the managership of G. W. Bond. The available data are also included in Table 28.

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50. *Records, loc. cit.*

TABLE 27  
COMPARISON OF WAGON MOUND INVESTMENT AND PROFITS  
(dollars in thousands)

Year	Bond Investment		Due Espanola	Total Investment	Net Profit	Return on Investment	
	George	Frank				Partners'	Total
1893	\$ 1.7	\$ 2.6	\$26.2	\$ 30.5	\$ 6.1	141.9%	20.0%
1894	4.5	5.6	32.8	42.9	16.9	167.3%	39.4%
1895	12.6	14.0	40.4	67.0	12.2	45.9%	18.2%
1896	12.1	20.1	47.0	79.2	7.0	21.7%	8.8%
1897	5.2	23.6	47.0	75.8	30.6	106.2%	40.3%
1898	23.6	38.9	48.4	110.9	7.6	12.2%	6.9%
1899	19.2	42.6	48.3	110.1	19.9	32.2%	18.1%
1900	28.0	52.1	47.2	127.3	13.6	17.0%	10.7%
1901	...	...	47.4	...	...	...	...
1902	...	...	50.0	...	...	...	...
1903	28.0	53.5	53.2	134.7	54.0 <sup>a</sup>	66.3% <sup>a</sup>	40.1% <sup>a</sup>

a. Represents two years—1902 and 1903.



TABLE 28  
EARNINGS AND UNDIVIDED PROFITS  
AT WAGON MOUND, 1904-1915

(dollars in thousands)

Year	Undivided Profit at End of Year	Profit for Year
1904	\$ 9.9	\$ . . .
1905	23.3	. . .
1906	39.8	. . .
1907	53.8	. . .
1908	66.3	12.3
1909	86.7	. . .
1910	69.8	. . .
1911	84.1	. . .
1912	115.8	31.7
1913	117.7	39.7
1914	138.2	26.3
1915	138.4	34.3

None of the profit figures shown in Table 28 include allowances for bad debts or for depreciation since it was not until 1913 that refinements in the bookkeeping system provided for these expenses on a formal basis. Beginning in 1913, these reserve accounts were referred to as "Sinking Funds . . . deducted and set to one side to protect any depreciation and loss that may occur."<sup>51</sup> They amounted to \$12,254.41 by the end of 1915.

Table 29 tabulates the profits for the years 1912 through 1915 by type of activity and presents an outline of the type of business activities carried on during those years and the relative importance of each.

51. *Ibid.*

TABLE 29  
WAGON MOUND PROFITS BY ACTIVITY  
(dollars in thousands)

Activity	1912	1913	1914	1915
Wool	\$ 4.2	\$ 3.4	\$ 2.7	\$ 3.1
Sheep	4.1	4.3	13.3	15.6
Cattle	.2	.7	.4	.1
Hides & Pelts	.2	.3	.3	.3
Interest	3.2	2.0	2.5	1.6
Discounts	1.7	1.3	1.2	1.4
Merchandise	18.1	26.9	5.6	11.2
Miscellaneous <sup>a</sup>	. . .	.8	.3	1.0
Total	<u>\$31.7</u>	<u>\$39.7</u>	<u>\$26.3</u>	<u>\$34.3</u>

a. Includes profit on rams, cream, and bones.

Just prior to the close of the period with which we are here concerned, the Bond-Connell Sheep and Wool Company in Albuquerque became the next enterprise to spring, at least partially, from the fertile loins of the Wagon Mound business, for in 1914 the A. MacArthur Company invested \$5,000 in the stock of the new venture along with several others. The Bond-Connell Sheep and Wool Company is treated separately and in more detail elsewhere in this paper.<sup>52</sup>

52. *Infra*, chap. xiii.

## WEST OF THE PECOS

By E. L. STEVE STEPHENS

*(Concluded)*

The next day Miller had them boys to get the chuck wagon ready to send to town after chuck. In a couple days Miller sent the wagon in by one of the boys and sent the saddle to the man we borrowed it from and told him to pick my bedroll up and bring it back. We didn't do much until the wagon got back. We got the saddle ponies up. The chuck wagon was going on a cow work to mark and brand the calves and hold the fat cows and the steers. Going up the trail to Trinidad where we are to deliver them to. The chuck wagon in from town and we are ready to start the cow work. It late in the spring. Mr. Miller went back to Kan. City. We finished the cow work around the first of Sept. and we started our journey to deliver the cows and steers to Trinidad, Colorado, about Sept. 15.

It was a rough trip going up there. So much rain and the Indians. The wagon boss didn't kick off with the Indian Chief so good. The chief wanted a fat cow for his people to eat and the boss turned him down. That wasn't good. The boss didn't know anything about Indians. He never been around Indians much. I told the boss if he would let me handle the outfit we could make it all right for I had lived and been around them 15 years. So he did. So the next morning I rode up to the Indian's camp and got off my pony and the chief come out of his teepee with a rifle in his hand. I made him a few signs. He set his rifle down. I told him what I was going to do. So the chief and three Indians went back with me.

We rode up to our wagon. I told the boss to have the cowboys to throw the cattle together so the boss did. I and the chief rode into the herd and I told the chief to pick him out one so he did. I told the boss I was going to help the Indians to their camp with the cow. I told the boss they could start on with the herd, I would overtake them. We made it to the Indian camp all right. Well, chief, old Pal, I will go and overtake the herd. The chief shook my hand and pulled my hat off

and patted me on the head. That was their way to show love and friendship and said come back and see us. I said I sure will if I am in this country, and I rode off.

Overtaken the herd. Always one smart alec. This smart alec said to me we thought you had taken up with an Indian squaw. I said to him no more wise cracks out of you. The boss said boys, Steve got us out of this jam. This wise guy had his tale [tail] over his back all the way to Trinidad at me. I didn't have anything to say to him, but I kept an eye on him. We finally reached Trinidad and turned the cattle over to the man bought them. Was a big wild west show going on so we stayed there three days and taken it in. We hadn't been to town in seven or eight months. Our hair and beards were long. We all got cleaned up the first evening and went to the show. And after the show was over we went to the dance.

This smart guy didn't take any hand in the dance. But the rest of us cowboys had a swell time. Some time after midnight we went to the wagon and went to bed. The next morning after breakfast the wrangler got the saddle ponies in. We were getting ready to go to the show ground. Some of the boys was going to enter in the bronc riding. It was a good show and a good dance that night. The second day we was there several of us cow punchers taken a part in the wild west show. I was in the cow roping. I rope my cow and rode back to the chute and got off my pony. Someone slapped me on my shoulder. I looked around and it was Goldy Smith. I hadn't seen her in seven years. I rode against her in Durango, Colo., in 1907.

We had lots to talk about. We went had supper together and we went to the dance and had a good time. Goldy's father was there. He was pretty feeble. Mr. Smith had moved to Trinidad. After the dance was over I went and stayed all night with them. He was a big cow man. The next morning around five o'clock, Mrs. Smith put the coffee pot on. I heard someone up so I got up and it was Mrs. Smith. Wasn't long until the coffee was ready. She poured two cups of coffee. She carried Mr. Smith coffee to the bed for him. I had drink one cup of coffee by that time Goldy had got up and come through where her dad was in bed. Goldy poured her a cup. She said

Steve, Dad wants us to come in where he was. Mrs. Smith fixed breakfast. She called us and we set down and eat. Mr. Smith said, Steve how about you working for me? I will give you a good job. If I went to work for you I would have to go back to the O. B. and get my saddle ponies. I told Mr. Smith I would let him know in a day or two.

We stayed two more days and we taken in the wild west show. The last evening we was in Trinidad I saw Mr. Smith and I told him it was so late in the fall. I will go to work for him in the spring if he wanted me to. He said that would be all right. So the chuck wagon and us cowboys left for the ranch. It taken us three weeks to reach the ranch. The boss paid some of the cowpunchers and they went to town and waited for the next spring work so they could get a job. The big part of the cowpunchers just work spring and fall. So the boss kept four of us cowpunchers counting that smart alec. Well the winter wasn't so bad. Well, spring was here and the grass was putting out.

One day the boss and I was riding along together. I told him I was going to quit. He said Steve, I wish you would stay on. I got my saddle pony and my pack pony up to feed them a few days so they could make the trip all right. I had the ponies up three or four days and this smart guy left the gate open and they got out. I said to him why did you let my ponies out? You go and get them ponies and put them in the lot. When I want them out I will turn them out. He got his tail over his back. I said to him, you keep on you might get the cuckold burrs combed out of your tail. The boss was standing there taking all in.

About the middle of April I saddled up and packed the other pony and pulled out. The second day I reached Ft. Barclay. There was where I reached the Santa Fe Trail and travelled to Raton. I put my ponies in the stage coach barn and taken the stage coach for Trinidad to see Mr. Smith. I found Mr. Smith sick. I stayed several days. I believe it made him feel better to see me.

He said to me, Steve, you didn't fool me. He asked me where did I leave my ponies. I said in Raton. We talked three days. He told me all about the ranch. He had sold the cattle

and the ranch, but would turn it over now. Be about 8 months before I will. I want you to go down and take it over. I asked Mr. Smith who are running it. Now, I said, Mr. Smith, it's not a good policy for a stranger to go on a job and take over if the owner are not there. I don't want to go down and have any trouble with the boss. He said I have sent for him to come to see me. I said what are the matter? He said haven't branded as many calves as they should.

I stayed around Trinidad until his boss come in. I never did see him. Mr. Smith told me what he wanted me to do and where I could get anything for the ranch I needed at Raton, N. M. All the time I was there I stayed in their home. I said to Mr. Smith one night I guess in the morning I will take the stage coach and go to Raton and get my ponies and go to the ranch. When I was ready to take the coach, Mr. Smith said, Steve, when I get well I will see you. I arrived in Raton the next day and stayed all night.

The next day I left for the ranch. The ranch (brand CT) was about half way from Maxwell and Springer on the Red River. I travelled down the old Santa Fe Trail to Cimarron then quit the trail, turned east. The evening of the third day I rode up to the ranch. Was two cowpunchers come out the door. One said get down stranger. I got off and wrapped my bridle reins around the hitching pole and went in. They had some coffee made. I drank a cup. Them buttons didn't have much to say. I am going to unsaddle my pony. I untied my bedroll and pulled it off my pack pony. They looked at each other and started leading my ponies to the lot so they followed me. I unsaddled and put them in the lot. I seen some feed so I fed them. All time I was looking around after a while one said us go and fix supper. We went to the house. I asked would it be all right for me to put my bedroll in the house. Yes, they said.

They started fixing supper. Didn't have much to fix. Didn't have any beef and not much bacon. We eat what they cooked. After supper one said to me do you want your horses turned out? No just leave them in the lot. The next morning they fixed breakfast. We eat and one drove some ponies up and put them in the corral and caught them a horse each. Was

a good looking dun pony in the bunch. I said who rides him. One said the boss was here rode him. I said where is he? He quit and left the other day. I said to them cow pokes how about me riding him? You can I guess. He may buck all time I was. I had a eye on them guys. I said to them how many ponies you all have in you all mount? They told me. How many in the lot the boss rode. Mr. Smith had told me how many saddle ponies he had on the ranch.

I went with them pokes that day. I seen some big calves. Wasn't branded. I said Who them calves belong to? Better brand them, they might get wandered off from their mothers. No one said anything. I let on like I could read the brand was on them calves mother. We returned to the ranch house late in the evening. We made some coffee. Later we cooked dinner and supper both in one. Wasn't much to cook at this outfit. We was eating. I asked who have been taking the chuck wagon to town after chuck? One said I have, went twice. Was no more said about that. I found out what I wanted to know that day.

The next morning while we was eating breakfast I said boys, Mr. Smith sent me down here to run this ranch and I am going to run it to suit me. After breakfast I said boys we are going to get the chuck wagon ready to go to town. Up to now I never told them my name. They said what are your name. I said Steve. They looked at each other. I asked them ruckes [rookies] their name. One was Paul and the other was John. That night I told Paul in the morning I want you to take the chuck wagon and go to Raton and get chuck and horse feed. I made out a list for him to get. The next morning I started him out for town. The wagon was gone 8 days.

The next day after I sent the wagon to town I said John us go up to Cisco Spring. I wanted to look around. Was an old adobe house set back up in a canyon a little way from the spring. I had been there one time before but didn't get off my pony then. So we rode up and got off. I kept my hand on my gun. You could tell might be a wild cat jump out. I was looking around. Was several short pieces of rope hanging down from a limb in a large tree. I walked around the sod shanty. Wasn't but one door in it and two small look out

holes. The door was fastened with a horse shoe bent together on the outside. I looked around and found something to pry the horse shoe apart and went in. Wasn't much in the house. Some old pans and two pair of boots, one pair had Wild Bill on them and the other pair said Cisco. It sain on the boots June 1900. It was carved with a knife and I kicked the junk around and found a cow horn was burned on. This what it said. We are staying here is 1895. All the time I was in there John was a little nervous. I said, John, have you ever been in here. I said I never was in there. I have worked for Mr. Smith a year. This is the third time I have ever been at the shack.

I shut the door and we rode off. I never did say what I saw in there. We pulled out on the way to the ranch. When we left the ranch I went to look for a fat calf to butcher for the ranch. We were riding down a canyon and run into a bunch of cattle. Was a cow with a fat calf by her side. I told John us carry this cow and calf in. He didn't ask any questions. We drove them on to the ranch and put them in the corral and tied the gate good. I sure was hungry.

We went to the house and we started fixing dinner and supper together. That's the way we cooked. The next morning I said, John, us butcher that calf. He looked at me but didn't say a word. We butchered the calf and hung it on the side of the house. We had steak and gravy then. We drug the intrails off that night. I thought every wild cat and every lion every panther in the country was there. They growled and fought all night. Way in the night John called me. I never did hear anything like that before. I said John, they are filled up. Next morning John and I went down where they were. Hair and fuzz were all around there. John said something got tore up. I said maybe so.

In a few days Paul come in with the chuck wagon. We unloaded the chuck and horse feed. I told the boys to put the chuck box and the sheet and bows on the wagon. I will be back in two or three days. I am going and get us a cook over east of the ranch about 10 or 11 miles. Was a Mexican settlement. Vermejo Creek valley. I figured I could get a cook over there. I rode up to a very nice house. A man walked out of the



house and told me to get down and told me to come in so I went in and his wife poured us some coffee. I asked him where can I find a man would cook for a chuck wagon. I need one for a few days. Yes I do. He has been cooking for a sheep wagon. So he and I went and seen him. This man went with me. Told him to come up to my place in the morning. I stayed the night with this Mexican. He had two good looking girls. After supper the girls sang and played the guitar. The next morning my cook was there. At the table he told me he would come over and help me work. I and my cook pulled out for the ranch. This Mexican was riding a pony and leading a burro with his bed on it.

It was late in the evening when we got to the ranch. I told the boys to go and bring the saddle horses in. They still didn't know what we was going to do. I hadn't told them we was going to brand them big calves they failed to brand. The Mexican I went to see come and brought two more hands. We pulled out south about 15 miles and camped next day. We started gathering them gib calves marking and branding. We camped there three days. Then we moved back north a few miles. We worked that country then moved again. By this time we were close to the ranch. We pulled the chuck wagon into the ranch and we worked from the ranch. We finally finished. It was a rough job, but I figured it would be.

By this time it was late in the fall. Mr. Smith come down and stayed a few days. Then I carried him to the Santa Fe Trail and put him on the stage coach and he went back home to Trinidad. The snow began falling early this winter but everything wintered very good.

The first of May just around the corner and then was when the work began. One morning one of my cowboys got bucked off and broke his leg. I splint it up the best I could. Was a Mexican doctor in that settlement where my Mexican friend lived. I told the boy to stay here with the boy got his leg broke and I would go and get the doctor. I went in a hurry and the doctor came back with me. He taken the splints off I put on and he looked at it good and put some dope on, then he had some splints he had made. He done it up in good shape.

In about a month he was hobbling around. About time I

hadn't heard from Mr. Smith. Time was just about up to turn the ranch and cattle over to the man bought the outfit. In a day or two here come that Blow Joe and brought four city cowboys with him. Didn't do anything the first day. Mr. Smith came in that evening. The next morning I told my boys to find the horses. Mr. Smith and I was talking. I saw them city cowboys go in the corral with their ropes in their hands. I went down to the corral. I said I will do the roping here. My pet dun Pony [,] the first pony I rode on this ranch[,] was a smart guy said to me I am going to ride that dun. I said you ride any one I tell you to. I am still the boss. He said I come down here to be the boss. I said look here, drug store cowboy, you are going to do what I tell you to do.

Mr. Smith told that buyer he would have to get him a cook so he put one of his city cowboys cooking. Didn't have much to eat. One said to one of my cowboys do that boss wear that gun all thim [time]. Yes he does. Where is he from? This boy said I don't know. What is his name? Steve is all I know.

We got along very will. Turned the cattle and the ranch over and Mr. Smith went back home in a day or so. I saddled up that good dun pony and pack one and turned it to them. I don't know how they will come out in that country. They had never been in the west.

I rode across the mountain to the Santa Fe Trail and travelled the Santa Fe Trail to Raton and I put my ponies in the coach yard and told the man to take care of them until I get back. I taken the stage to Trinidad to see Mr. and Mrs. Smith and Goldy. I stayed around Trinidad a few days and went back to Raton. I was there a few days I run into Miller. He owns the 101 ranch. He was on his way to the ranch. He asked me to go with him. I had work[ed] for the 101. I said I will go with him. So we taken the stage to San Juan Pueblo that on the Rio Grande. The foreman had the buck board there to meet Miller. It was late in the day when we left San Juan. We had to stay one night on our way to the ranch. We drove in the next day. Was several cowboys around there. I set around and listened at them shoot the bull and brag on themselves. What they done the last show the 101 pulled off.

That gave me the belly ache. They asked me how long have you been in this country? I said a few days. Are you going to work in this country? I said maybe. The cook ring the bell for supper. They made a bull run. I walked up and got me a tin plate and a tin cup. Got some coffee and filled my plate with red beans and some steak. Went and set down and was eating. Miller and his foreman come over where I was. Miller said, Steve, this is my foreman, Straton. He said a few words. I said yes or no. I figured that outfit out. The next morning they was saddling up the straw boss asked me if I wanted to go with them. No, I will hang around here. They sure had ranhand horses. Could be no other way the bunch rode them. We was there a week. Miller asked me was I going to work for him. I don't think I will. I believe I will go east a little ways.

The foreman carried us back to San Juan and we taken the stage coach and I stopped off at Raton. Stayed round there a few days. I left there went a southeast and hit the old Goodnight Trail. Travelled down it to old Fort Roy [town] where the Goodnight Trail and the Santa Fe Trail cross each other. Then I travelled the Santa Fe Trail to Pasamonte. I stopped over a few days and let my ponies rest their feet. Was tender. Travelling was bad. So I stopped there put my pony up and fed them. Walked up to a cafe to get a cup of coffee and a bite to eat. Was a rawhide town not much there but saloons and gambling joints. I asked that girl waited on me was this a pretty good town. She said at times the sheep herders and a few miners from the Raton Pass country was in town.

The first night I was there was so bad. All them miners and thugs and pimps was gambling. The ones was gambling was dancing with the girls. Long in the night was four strange hard lookers show up in where they was gambling. After a while one walked up to the dice table and another set down to the poker table. The other two just stood around. I kept an eye on them. You didn't know what would take place. I figured they would hold the joint up. Everything went off. Not much trouble that night. But the next night the same four and two more walked in the same cave. Two went to

gambling. The rest of them danced with the gals. Some, but didn't stay in where the girls was long. Come back in the saloon where they was gambling. Some time after midnight a racket started in the dance hall. It was getting rough in there. The pimps began to go in there and began to get up from the tables. About that time some of the lights was shot out. Some one said nobody make a move. You won't get hurt. The place was held up and robbed. I backed against the wall close to the door and seen one of the six men rake the money in a saddle bag and they backed out the door. Then they was in the dark.

I went down to the cafe to get a cup of coffee. A man come in look like someone had worked him over with a bottle. That girl brought me my coffee was you up there when it was robbed. That was fun to me. I am used to that. I asked her how long she been here. Several months. Me and my man come here from Grants. How long was you in Grants? Two years, she said. She said I have seen you in Grants. Or in Bluewater, haven't I. Maybe I said. That girl said she was in that place when the Mexican had trouble with that gal tried to steal his money when he was in her room and you went in there and I seen you shake her and her man started in and you knocked him out the door. She said you like that Mexican. Yes, I did. He worked for me two years.

I stayed around there a few more days. I decided to go a little farther southeast. I pulled out one morning. Headed to Tucumcari. I travelled one day. Came up on a cow camp and stayed all night with a cow puncher. The next morning this cowpuncher told me where I could run into an old trail that went to one of the Bell camps. I made it just before sun-down. That was a wild country. I had seen a little of everything that day. I stayed all night there was two cowboys there. We was eating supper I asked what cow camp this was. They said the Bell camp. I asked them cowboys where does this trail lead to? They said to the Bell headquarters. I pulled out.

I hadn't been gone over two hours I saw a man cross the trail ahead of me. I didn't know what he was up to. I never did see him any more. I rode on down the trail. All of a sudden

my dun pony I was riding begin snorting and stepping high. There were two panthers laying on a bluff. I didn't want to kill one of them. Something else might bob up. The country was full of outlaws. I went on down the trail. Just before I got to the ranch I saw a man coming down a canyon. He was a Bell cowboy. We rode on to the ranch. Got down and went in the house.

The boss and two cow punchers was drinking coffee. Their hair and beards were long. I got me a tin cup and poured me a cup. I noticed they looked me over. I kept one eye on them. When I walked in I knew I had seen one of them guys. I figured out where. I seen him in Durango in 1908 at a wild west show. But he didn't seem to recognize me. The boss asked me do you want to work. I said maybe. Nobody asked me my name and I didn't ask them theirs. I had been there about ten days one night the boss said to me what are your name? I said Steve. I had learned their names by this time. That cowboy I knew when I first went in he said to me. I believe I have seen you before. I said maybe. I never told him where I seen him. The least you talk the better off you are. That day and time.

I worked there nearly two years. I found out what I had been looking for seven years. One morning I told the boss I believe I would hunt a new range. I saddled up my dun pony and packed the other one and rode off and led my pack pony. There was a trail leading southeast and come into the old Goodnight Trail and travelled down it to Fort Butler and stayed over night there. And decided to hang around there a few days but didn't stay there two days. I travelled down the old Goodnight Trail and come up on a big sheep ranch. Was one white man and four Mexican sheep herders. I stayed all night. They had a big pot of brown beans cooked. One Mexican warmed the beans and made some bread and made some coffee and fried some venison. They treated me very nice. They never asked me anything and I didn't tell them anything.

I travelled down the trail to Fort Sumner. I put my ponies in the wagon yard and looked the doby town over. It was full of sheep herders and a few cow pokes. I went in a barber shop

to get cleaned up. Thought I would make a honk a tonk and look the gals over. I got cleaned up and walked out on the dirt sidewalk about that time some body knocked a man out the saloon door. It looked like Arizona to me. I walked up there and walked in. I walked up to the bar and ordered a drink. Hadn't drunk a drop in five years. I drank about half of it first chance I got I poured the rest in the spittoon. Everybody looked at me when I come in the door and begin to move around. I stopped at the end of the bar close to the door. The bartender said to me do you want another drink. No I said. Some was gambling. One sidled up close to me and said to me I will by you a drink. I said no thank you, I have the stomach trouble. He said it will help you. I said maybe. I found out later he was the guy that run the roulette wheel. I give him a go to hell look. He didn't look bad, although he had his gun on. I did too. The bar tender was a Mexican. He come over to me. Said to me the law don't like for strangers to wear guns in town. I said they don't. I said to myself the rest got theirs on. I will let the law tell me, but he didn't.

I stayed around there several days. I was in that place several times and go back and dance with the girls about half of girls was Mexican girls. Some good looking. The landlady the girls call her Aunt Kate she was from Clovis. Two or three them Mexican pimps tried to frame me but I beat them to the draw. I had seen several of them kind. By this time spring was here and the grass was getting green.

One morning I saddled up and packed my pony and rode out of Fort Sumner. About half way between Fort Sumner and Melrose I stayed all night in a cow camp. Was lots of sheep in that country. The cow men didn't like the sheep men them days. At the camp was one cowboy there. That cowboy told me if I want to work for Mr. Stocks are going to start to work in a day or two. You hang around here tomorrow if you want to. No, I believe I will pull out.

The ranch was in the direction I wanted to go. Was a hard days ride. About sundown I rode up. One of the cowpunchers said get down. It was the foreman. But I didn't know at the time so I crawled off. He come out and went with me to put my ponies in the corral and feed them. So we went back to

the bunk shack. The chuck wagon was sitting out there with the sheet and bows on it and the chuck box was in the back. Was five or six cowboys at the bunk shack. Wasn't long the cook said come and get it. This guy said us go and eat. That sounded good to me. After we eat this same man went with me and got my bedroll and put it in the bunk shack. Some played cards. I set in and listened at the bull. One or two wasn't very friendly. They was pretty boys they thought. They was from Texas. They hadn't been in New Mexico very long. Hadn't been in a New Mexico town.

The foreman asked me if I wanted to work for the Jinglebob outfit. I will help you this cow work. The chuck wagon pulled away from the Jinglebob headquarters on my birthday. We had a wild west show for several days after the wagon left the Jinglebob headquarters. We pulled out down the Pecos about fifty miles and worked back up the Pecos. The wagon was on the work sixty days marking and branding and held the steers and some fat cows. The chuck wagon pulled into the headquarters for a day or so and then started on the trail to Des Moines. We didn't have much trouble getting there.

We turned the cattle over to the men from K. C. The second day we headed back to the Jinglebob Ranch. Pulled into the headquarters. The foreman paid some of the cowpunchers off and the two Texas cowboys went back to Texas. They didn't like New Mexico. One trip on the trail was enough for them. They said this country was too wild for them. I stayed two years on the Jinglebob ranch. At times it was rough on the Pecos.

I had been on the Jinglebob about twenty months. Had been to town one time. Two cowboys and myself asked the foreman about us going to town and staying a few days. He said we could. We well start the wagon in about two weeks. So us boys went in to Fort Sumner. We was there about a week. Them two boys was bad to get drunk. I hadn't never been in town with them before. That was a bad town to get drunk in. I told them boys they better settle down when they was in the dance hall around them thugs and pimps. One night in there one of the boys got into it with a pimp. He was

a Mexican. He came after this boy with a knife. I knocked him down. We fought our way out the door. Two got bad wounded so that bunch was on our trail. So we rode out of town. Went back to the ranch. And we started the cow work when we finished the cow work I told the foreman I believe I would quit a while. He paid me and said when you want to work you have a job.

I saddled up and packed my pony and rode off. I went into Clovis and stayed around there about a month. That wasn't a Sunday School town. I was in a hotel and run into Slaughter the one brand V. S. and he told me he needed some cowboys. He was going to start the wagon in a few days. I said to Slaughter. I will go and help you a while. Slaughter said my chuck wagon will be in town in a few days and you can go back with him. While I'm waiting here to go to the ranch I heard lots of talk about the V. S. Some good some bad. The foreman no good. That didn't worry me for I had seen several them kind. The chuck wagon come in. I helped the freighter load up the wagon and we left for the ranch on the way I got the history of the V. S. He done the talking and I done the listening. He didn't find out anything from we. I never told him my name. Was leading my pony behind the wagon and I was ridin on the wagon beside him on the spring seat.

We had seen wild things. I said I am going to kill the next thing jumps up. We hadn't gone far a coyote jumped up I pulled my gun and killed the wolf. He never said anything. Looked at me. We arrived at the ranch late in the evening. Was several cowboys there. They unhooked the mules from the wagon. I went and untied my ponies from the wagon and taken my bedroll off and went with the freighter to the corral. I unsaddled and put my ponies in the corral. He and I went to the bunk shack.

Some of them buttons popped off. That didn't set so well with me. I hadn't been used to slight remarks. I liked 2 or 3 of them cow pokes. I like some. I [they] didn't like me for I didn't take a hand in playing poker with them. I was a new man. I didn't like the foreman. He turned out just like that man told me. It was several days before Mr. Slaughter come out.



One night that same bunch was playing poker. I was out of the bunk house. I overheard them discussing me. One said he is a tenderfoot. I stepped inside with my gun in my hand and shot through the roof. I said settle down nobody won't get hurt. I said now you city cowboys, I don't want any more slight remarks out of you all. About that time that smart foreman come stepping high down. He said what going on down here? I said let your city cow boys tell you. I pulled my bedroll out the door and laid down. Kept one eye open.

The next day the foreman said to me I don't believe you and the boys can get along. I told him I was going to stay here until Slaughter get here. In a few days Mr. Slaughter come in. I told him I don't think I will work for you. I can't get along with some of your cow boys. He asked what the trouble. I said we will let your foremen and the boys tell you. He had the boss and all us cowboys come to the bunkhouse. He asked his boss what was the trouble the other night. I said to all of them youall tell it just like it was and tell it straight. Told Mr. Slaughter I won't stay here and work might be trouble. I cross on the East side of the Pecos then.

I went on the west of the Pecos in 1902 and come back on the east side in 1918. I spent 16 years in New Mexico and Arizona West of the Pecos. It wasn't long after I came back on the east side of the Pecos I married a New Mexico girl. It was rough on a woman to keep her on the cow ranches them days. We toughed it out until our first baby was born. Her health wasn't so good after that so I never did carry her back to live on a ranch any more. I kept working on for about a year. So in 1923 I gave up the wild country west of the Pecos and the wild cows. Many times I look back over my life and west of the Pecos.

### *The End*

Jal, N. M.  
Feb. 4, 1960

Dear Mr. Reeve:

I am dropping you a few lines. How are you well I hope. Well Mr. Reeve wife and I made all ok from up there but the snow and ice sure was ruff going I shure haid the work to get everthing in shape for the Boss. he con in a few days ago I am at home know. Reservation I got

to thinking I got my knotes down and look them over I am sinding you the name of them Indian.

\* \* \*

Dear Mr Reeve

I look thew my notes I am sinding them to you my Love still stand out for the mexican papeal, and the Indian Papeal for they was a true friend of mine I haid Indian girls friend and mexican girls friend mexican girl save my life on time. if I could see you I could tell you lots about the Indian and the mexican papeal them days. they was a true blue friend of mine I could carry a huard of cattle threw they country iny time. and when I call on the Spanish papeal to help me never turn me dawn.

I hope this find you well I have bin puney but feel better I will close as ever your friend write me when you can

E. L. Stephens  
Box 22  
Jal N M

## Notes and Documents

February 17, 1961

Dr. John D. Greenleaf  
Department of History  
Mexico City College  
Mexico, D. F.

Dear Dr. Greenleaf:

Having read your review of *Our Spanish Southwest* in the *New Mexico Historical Review*, I am curious to learn whether an attempted corrective measure has missed fire.

The printer was breaking in a new typesetter, who introduced a new error in about one out of every three lines that he reset. Therefore, I requested and read a *second* page proof, which also abounded in "typos", and by that time the editor and I were growing weary so that we were unable to detect all of them. After the printing, the editor employed a good proofreader, and she and I made a list of the "typos" from which the publisher printed a sheet of *errata* with assurance that it would be inserted in all copies.

Now I find that that insert is not appearing in books received locally, and I am making inquiry as to whether it went out in review copies. I judge from your review that it did not, and if not, you really let me off kindly!

This is not an attempt to excuse a half dozen factual errors, which I made myself. They will be corrected in the next printing.

Sincerely yours,  
Lynn I. Perrigo  
Head, Department of  
History and Social Science

as

P. S. However, I do take issue with one of your criticisms. Chapters I, XIII, and XIX, dealing with the Indians are not restricted to the Navajo. And it is interesting how opinions differ. Another critic thought that there was too much on the early period—that it would be difficult for a reader to plod through all those strange names and remote events!

L. P.

## Book Review

*Apache, Navaho, and Spaniard.* By Jack D. Forbes. Norman, 1960. University of Oklahoma Press. Illustrations. Maps. Bibliography. Index. Pp. xxvi, 303. \$5.95.

From the coming of Spanish colonists to New Mexico under Juan de Oñate at the close of the 16th century until the arrival of the Comanches in the early 18th century, the Apaches and Navahos provided the chief threat to Spanish occupation. In 1680 the Pueblo Indians rebelled and, aided by these wild nomads, drove the Spaniards from New Mexico. The survivors founded a new town, El Paso, at the ford of the Rio Grande. It required nearly twenty years for the Spaniards to restore their hegemony over the rebellious Pueblo tribes.

*Apache, Navaho, and Spaniard* covers this period, from the coming of the Spaniards to their return to the Rio Grande valley after the Pueblo Revolt. In his Introduction Professor Forbes sketches the background of the southern Athapascans, who had wandered far from the main body of their linguistic family in northwestern Canada and Alaska.

Missionary eorts to convert the Apaches and Navahos, although they occasionally appeared promising or fruitful, in the long run made no impression. One of the most significant results of the Spanish-Indian relationship in New Mexico was the diffusion of the Spanish horse among enemy tribes and in a wild state. The Spanish policy of capturing Apaches and Navahos for sale as slaves in Chihuahua intensified the conflict, and precluded the possibility of more than temporary periods of peace.

Most of the previously-published accounts of the Apaches and Navahos in the early Spanish period have been articles or have had merely a secondary interest in these Indians. Professor Forbes has told their story in detail, basing his study on archival documents as well as selected secondary sources.

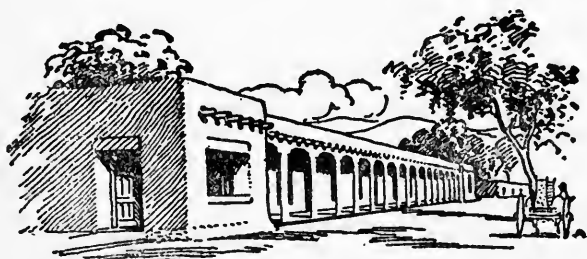
University of Florida

DONALD E. WORCESTER

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# Editors

FRANK D. REEVE

PAUL A. F. WALTER

# Associates

PERCY M. BALDWIN

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FRANCE V. SCHOLES

ELEANOR B. ADAMS

BRUCE T. ELLIS

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# NEW MEXICO HISTORICAL REVIEW

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## EDMUND G. ROSS AS GOVERNOR OF NEW MEXICO TERRITORY A REAPPRAISAL

*By* HOWARD R. LAMAR

ONE evening in the early spring of 1889, Edmund G. Ross invited the Territorial Secretary of New Mexico, George W. Lane, in for a smoke by a warm fire. As they sat in the family living quarters of the Palace of the Governors and talked over the day's events, it became obvious that the Governor was troubled about something. Unable to keep still he left his chair and paced the floor in silence. Finally he remarked: "I had hoped to induct New Mexico into Statehood."<sup>1</sup> In those few words Ross summed up all the frustrations he had experienced in his four tempestuous years as the chief executive of New Mexico Territory.

So briefly, or hostilely, has his career as governor been reported—both in the press of his own time and in the standard histories of New Mexico—and so little legislation is associated with his name, that one learns with genuine surprise that he had been even an advocate of statehood. Marion Dargan, in his study of the New Mexican statehood struggles, remarks that L. Bradford Prince was the only governor between 1851 and 1890 to work for admission into the Union.<sup>2</sup> It is ironic,

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1. Lillian Ross Leis, "Memoirs of Edmund G. Ross." Typescript in the Edmund Gibson Ross Papers in the Archives Division of the New Mexico State Records Center (Santa Fe). The author is grateful to Dr. Myra Ellen Jenkins, Chief Archivist, for permission to use the Ross Papers and for many valuable suggestions concerning the writing of this article.

indeed, that Ross, who was by career a newspaper editor and a devoted believer in the press as an instrument of truth, should have been so consistently its victim throughout his own public career.

Edmund G. Ross owes his place in American history—and a very respectable place it is—to his dramatic and stubborn refusal as a Kansas Senator to vote for Andrew Johnson's impeachment in 1868. After that painful moment he was a ruined man politically, excoriated by the national Republican press as a traitor to his party and accused of corruption and bribery. He was denounced even more by his constituents back in Kansas, for they had directed him by letter and memorial to vote with the Radicals against Johnson.<sup>3</sup>

This bitter experience forced Ross to return to the Democratic party, which he had left as early as 1844 in order to satisfy his strong anti-slavery convictions. Belonging to the minority party in Republican Kansas, it was impossible for him to emerge from the political shadows again until the Democrats returned to national power with Grover Cleveland's victory in 1884. The news that Cleveland had appointed Ross governor of New Mexico Territory aroused much of the old newspaper bitterness; and some of the senators, with Ross' defection still vivid in their memories, were so determined to defeat his nomination that the Kansan had been *de facto* governor for a year before the Senate confirmed his appointment.<sup>4</sup>

If Ross was the target of unfair national criticism and calumny in 1868, he was equally the victim of a legend which had grown up around him in the succeeding eighteen years. Gradually realizing that his vote for Johnson had not been the result of a corrupt bargain, the public had come instead

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2. Marion Dargan, "New Mexico's Fight for Statehood, 1895-1912," *New Mexico Historical Review*, XIV (January, 1939), p. 5.

3. This portion of Ross' career has been sympathetically covered in some detail in Senator John F. Kennedy's *Profiles in Courage* (N.Y., 1956); see also "Edmund Gibson Ross" in the *Dictionary of American Biography*, XVI, pp. 175-176. For Ross' own account of the trial see his *History of the Impeachment of Andrew Johnson, President of the United States by the House of Representatives and his Trial by the Senate for High Crimes and Misdemeanors in Office, 1868* (Santa Fe, 1896).

4. Ross was appointed May 27, 1885, and received Senate confirmation on April 29, 1886. Earl S. Pomeroy, *The Territories and the United States, 1861-1890* (Philadelphia, 1947), p. 110.



to regard Ross as an honorable man but so stubborn, opinionated, and idealistic, that he was difficult to work with. They had also come to regard him as a reformer. And to complete the stereotype—although he was only fifty-nine years old when he became governor of New Mexico—the newspapers persistently pictured him as an elderly man in broken health, bowed by time and misfortune, more cantankerous and bitter than wise. The *Denver Opinion's* description of him is fairly typical of most papers: "an aged and obscure man with a sallow, hungry countenance and thin faded hair." *The Star and Kansan* called him, "that physically puny man."<sup>5</sup>

These were the basic elements of a newspaper portrait of Ross which was to be peddled daily during his governorship (1885-1889) by the local press, and particularly by Ross' political enemy, Colonel Max Frost, the strongminded, arrogant editor of the *Santa Fe New Mexican*. By far the most powerful newspaper in the Territory, the *New Mexican* was also the official spokesman for the local Republican party and for the so-called "Santa Fe Ring." At that time the paper was partly owned by ex-Senator Stephen W. Dorsey, of "Star Route" Mail frauds notoriety. Dorsey was now engaged in open-range ranching and was a business associate of the Maxwell Land Grant Company, so that the *New Mexican* naturally defended both these interests. Frost was also a politician of no mean ability. He had served as United States Land Register, Adjutant General of the Territorial Militia, member of the Board of Immigration, and as secretary to the New Mexico Territorial Cattleman's Association. A good arranger and campaign manager, he was secretary of the Republican Central Committee for a quarter of a century.<sup>6</sup>

To Governor Ross and the reform element in the Cleveland administration, Frost and the *New Mexican* were symbols of nearly every evil they hoped to erase from New Mexico. Frost, in turn, saw Ross as such a threat that he seized upon Ross' reputation as a stubborn, cranky reformer, and so implanted this caricature in the minds of his readers, that it persisted

5. *Denver Opinion*, July 18, 1885; *The Star and Kansan*, January 16, 1885. Clippings in the Ross Papers.

6. Ralph E. Twitchell, *Leading Facts of New Mexican History* (Cedar Rapids, Iowa, 1912), II, 497-498; also the *Las Vegas Chronicle*, Oct. 25, 1886.

throughout the Governor's lifetime and has been perpetuated by such New Mexico historians as Twitchell and Prince.

If one might cite an example of the caricature: perhaps Frost's most brilliant reportorial stroke was his interpretation of Ross' inauguration. When the new governor and his family came to Santa Fe on the evening of May 26, 1885, he announced to his predecessor, Lionel A. Sheldon, that he wished to avoid the parties and fanfare which usually surrounded the inaugural ceremony. While this plan fitted with Ross' own natural modesty, it also allowed his wife—a firm temperance advocate—to escape the embarrassment of holding a teetotaling reception in convivial Santa Fe. Various members of Ross' party suggested that since he was being hailed as a reformer, he should take office at dawn, for it was a New Mexican Indian legend that some day Montezuma would return at that hour to deliver them from bondage. Governor Sheldon acquiesced; and on June 15, just as the sun broke over the blue Sangre de Cristo range, the simple oath-taking ceremony occurred at the Palace. Mrs. Sheldon thought this was all very clever, and in a gay mood broke out a new hat for the occasion.<sup>7</sup> Somehow the news of the ceremony reached nearby Fort Marcy, where the officers fired off an early morning salute to honor Ross. The thunder of cannon sent the sleeping inhabitants tumbling out of doors to see what could be the matter.

Frost, in reporting this event, christened the Governor "Montezuma" Ross; and from that day on the nickname "Old Monte" stuck. In subsequent months he was to picture Ross as a pompous avenging angel bringing the unneeded torch of reform to New Mexico. And on each occasion he humorously and brilliantly twisted Ross' identification with Montezuma into a symbol of "rule or ruin" aggression.<sup>8</sup>

A second image soon to be portrayed by Frost and the *New Mexican* and many other papers as well, was that of Ross as a Kansas "interloper," a sort of latter-day John Brown who could not possibly understand the internal needs and unique

7. L. Bradford Prince, *A Concise History of New Mexico* (Cedar Rapids, Iowa, 1912), pp. 205-206; Twitchell, p. 496 ff.; Leis, "Memoirs of Ross."

8. Santa Fe *New Mexican*, June 15, 1885.

Spanish-American character of New Mexico. Thus Ross was cast in the perennially unpopular role of "non-resident federal appointee" of the genus "carpetbagger."<sup>9</sup> The effect of this image is seen when some two years later the citizens of a section of Grant County, furious with Ross for refusing to create a new county for them, burned him in effigy and denounced "Monte Ross and his rascally set of Kansas plunderers." Towards the end of his term *The Black Range* cried that the Territory had had enough of "Jay Hawker Ross" and carpetbagger Democrats.<sup>10</sup>

However, Ross did not spring from the gloom of retirement in Kansas to the limelight of political prominence by way of an overnight trip on the Atchison, Topeka, and Santa Fe. He had actually come to New Mexico in 1882, some three years before he became governor.<sup>11</sup> His decision to move was undoubtedly prompted by his having suffered a decisive defeat as a candidate for the governorship of Kansas in 1880.

He deliberately chose to settle in the booming town of Albuquerque, for with the completion of the Santa Fe line to that point, it had become an important business, freighting, and outfitting center for the mining camps in the Cerrillos and Black Range districts as well as for the Army posts and Indian reservations to the south and west. Although Ross ostensibly came to Albuquerque as a newspaper man, working for the Albuquerque *Morning Journal*, he had seen enough of the Kansas frontier to know that here was a chance to make a modest fortune by "growing up" with a still newer West. Full of hope for the future, he wrote his wife in February, 1883, that he was in on a big mining venture which looked so good that he had quit the newspaper and was busily studying Spanish deeds and grants to the property.<sup>12</sup>

Nor did Ross pick Albuquerque out of thin air. He was in correspondence with his brother-in-law, H.C. Bennett, who had settled in Silver City and undoubtedly praised the mining future of the region.<sup>13</sup> Two of Ross' former Kansas friends

9. *Ibid.*, June 1 to September 1, 1886; January 1 to March 30, 1887, *passim*.

10. *Deming Headlight*, March 4, 1887; *The Black Range*, January 28, 1889.

11. Twitchell, II, 496-497n.

12. E. G. Ross to Fanny Lathrop Ross, Albuquerque, February 6, 1883. Ross Papers.

13. Leis, "Memoirs of Ross"; *National Cyclopaedia of Biography*, XXV, 65-66.

had settled in Albuquerque. Elias Sleeper Stover, and ex-lieutenant governor of Kansas, had moved to Albuquerque some years before and had founded the large wholesale grocery concern, Stover, Crary, and Company.<sup>14</sup> A former Free-Soiler, and a Civil War veteran of fifty-one engagements, Stover was destined by nature and background to become Ross' friend. It is not surprising to find that the two men soon were closely allied in ambitious projects to advance their own and Albuquerque's future. Having arrived in the "Duke City" before the Atchison, Topeka and Santa Fe, Stover, in association with Franz Huning and William C. Hazeldine, had bought up the land between the Barelás Road and the proposed depot and laid out the "new town." In this way they capitalized quite handsomely on the coming of the railroad. Stover was also one of the founders of the First National Bank of Albuquerque. As a man with money to invest, he was naturally interested in projects to build local spur lines and in mining ventures. Upon Ross' arrival he invited him to participate in several of his schemes.<sup>15</sup>

Ross' other Kansas acquaintance was W. S. Burke, editor of the Albuquerque *Morning Journal*. A Civil War veteran, he had worked on papers in Iowa and Kansas before coming to Albuquerque in 1881.<sup>16</sup> Although the *Journal* was Republican in tone, Burke asked Ross to join his staff and the latter appears to have done much editorial writing for it. Soon, he and Burke were as much of a team as Ross and Stover were. When the Albuquerque, Copper City, and Colorado Railroad Company was organized in 1883, Burke and Ross appeared as two of the directors.<sup>17</sup>

Ross was of immediate use to the business and railroad men of Albuquerque both as a publicist of ability and as a former United States Senator. In the latter capacity he had

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14. Bernice Ann Rebord, *A Social History of Albuquerque, 1880-1885*. Unpublished Master's Thesis (Department of History, University of New Mexico, 1947), p. 11.

15. Victor Westphall, *History of Albuquerque, 1870-1880*. Unpublished Master's Thesis (Department of History, University of New Mexico, 1947), p. 87; also papers and documents entitled "Railroads" in the Ross Papers; Twitchell, V, 265.

16. Archie M. McDowell, *The Opposition to Statehood Within the Territory of New Mexico, 1888-1903*. Unpublished Master's Thesis (Department of History, University of New Mexico, 1939), p. 27.

17. Rebord, *Social History of Albuquerque*, pp. i-vi.

access to key men in Washington and could come and go on the floor of the Senate. Nearly a year before the Democrats came into power, Ross went to Washington where he pressed for a grant of land for the Atlantic and Pacific Railroad (which line had now been absorbed by the Santa Fe). At the same time, he and various other Albuquerque business men had planned to build a veritable spiderweb of narrow gauge railroads to connect Albuquerque with the new mining camps.<sup>18</sup> The *Morning Journal* began to praise the narrow gauge scheme, and Ross himself was listed as the vice president and financial agent of the narrow gauge companies. At one time the companies had no less than five railroads under consideration.<sup>19</sup>

It would be misleading to attribute too many Beardian economic impulses to Ross and his associates. While they were determined to help forge New Mexico's railroad future, they were equally determined to change New Mexico's cultural history. Burke, Stover, and Ross were concerned that after nearly forty years of American rule the Territory still had no public school system. They were appalled that much of the population still spoke only Spanish. Burke lamented that not one in ten justices of the peace had a territorial code of laws in his office, or that if he did, he did not know how to read them.<sup>20</sup> Revealing their abolitionist backgrounds they saw the public school and education as the essential instrument necessary to "Americanize" and "democratize" New Mexico.<sup>21</sup>

Some two years before he became governor, Ross in cooperation with Burke, wrote a bill "for the establishment of a public school system in the Territories," which they sent to Senator George F. Edmunds. At the time Edmunds was busily pushing anti-Mormon legislation through Congress. Hoping to enlist his interest in New Mexico's plight, Burke sug-

18. W. S. Burke to Ross, January 3, 1884; also MS letter Burke? to Ross?, January 1, 1884 in "Letters Received, 1884" in Ross Papers.

19. Albuquerque *Morning Journal*, August (n.d.), 1883; clipping in Ross Papers. See also pamphlet *The New Mexico System of Narrow Gauge Railroads* (N.Y., 1883) in Ross Papers. Rebord, *Social History of Albuquerque*, p. 13.

20. Albuquerque *Morning Journal*, July 23, 1883.

21. W. S. Burke to Ross, January 3, 1884. Ross Papers.

gested that the Catholic Church played the same role in resisting American social and political institutions in New Mexico that the Mormon Church did in Utah. "We can never have public schools in the world, in this priest-ridden Territory, unless Congress takes the matter in hand, and now while the fight against Mormonism is going on is the very time to move in the matter."<sup>22</sup> In a covering letter to Edmunds he declared with real abolitionist fervor:

The enemy to progress and civilization that we have to fight in New Mexico, is not polygamy, but Romanism—and between this and the Utah blight there is but little room to choose. You are, of course, aware of the miserable educational system—or more properly, absence of all system—which is maintained in this Territory. We are absolutely without any system of public education whatever in the sense in which the term is used in the United States.<sup>23</sup>

Burke's solution was to take education "out of the hands of the legislature and county officers altogether" and to permit only the federal officers to run the system. Their duties included, incidentally, the power to levy school taxes.

Burke's bill and others like it were introduced but were never passed. It is useful however, as a mirror of Ross' and Burke's attitude towards New Mexico, and it suggests that just as the Radicals had tried to reconstruct the post-Civil War South, they were willing to use federal law to "reconstruct" New Mexico. When his bill died in Committee, Burke continued the educational struggle by becoming the first Superintendent of Public Instruction of Bernalillo County.<sup>24</sup> Some years later, Ross' other Kansas friend, Elias Stover, was to become the first President of the University of New Mexico.<sup>25</sup>

The goals of the newcomers to Albuquerque did not stop with matters of economic and cultural progress. Surrounding

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22. W. S. Burke to George F. Edmunds, December 21, 1883. Ross Papers.

23. *Ibid.*

24. Burke was aided in his fight for local schools by Ross' having persuaded Congress to donate certain public lands remaining in the Albuquerque town grant for educational purposes. See MS "Land Grant for Town of Albuquerque" in Ross Papers.

25. Twitchell, V, 177.

Ross were intelligent and ambitious young lawyers and merchants of both parties who were chafing under the rule of that peculiar organization called the Santa Fe Ring. Whether Republican or Democrat they discovered that no economic or political move could be accomplished without first consulting the powers at Santa Fe. The young Albuquerqueans, in alliance with leaders from southern and eastern portions of the territory, had begun to rebel as early as 1882. In 1884 they had sent contesting members to the Assembly of 1884, and had tried unsuccessfully to get the capitol removed from the City of the Holy Faith to Albuquerque.<sup>26</sup> Embittered by the questionable tactics which the Santa Feans used to retain the seat of government, the fight broadened into a war between ring and anti-ring Republicans. The former were ably represented by Max Frost, William Breeden, L. Bradford Prince, and Thomas B. Catron, while the insurgents were led by a brace of colorful colonels: J. Francisco Chavez and William F. Rynerson.<sup>27</sup> The battle continued into the fall when the Santa Feans nominated Prince as their candidate for delegate while the anti-ring forces chose Rynerson to run on an independent ticket.<sup>28</sup>

Both Burke and Ross were delighted at the turn of political events. To one it offered the chance of a reformed Republican party, and to the other a chance for the Democrats to win the delegateship in a three man race. The *Morning Journal*, for whom it must be remembered Ross worked, began to roast the Santa Fe ring at every opportunity. And since frontier editors habitually most enjoyed attacking other frontier editors, Burke and Ross never failed to attack Max Frost as the chief villain of that organization. In the spring of 1884, the *Journal* reported every rebellious act of the Chavez-Rynerson forces with the thoroughness of a *New York Times* but the partisanship of the *Daily Worker*. The tone of the articles is amply illustrated by a typical aside in a report of a meeting of the Republican Territorial Convention:

26. *Ibid.*, II, 493-494; also G. P. Hammond and T. C. Donnelly, *The Story of New Mexico: Its History and Government* (Albuquerque, 1936), p. 135.

27. Twitchell, II, 493.

28. For an excellent summary of the Republican split in 1884, see *The Santa Fe Weekly New Mexican*, September 1, 1884. (Bancroft).

The most intense feeling of hatred against Max Frost has come to light. It does not seem to be from any one section, but is joined in by both North and South counties.<sup>29</sup>

Seeing a chance to bring about new political alignments, Ross threw himself into the Democratic delegate and national campaign of 1884 with real vigor. He supported the local Democracy's choice for delegate: the smiling, urbane Taos merchant and land owner, Antonio Joseph. He was also glad to see Colonel J.F. Chavez throw his support to Joseph at the last moment when it became apparent that Rynerson could not win.<sup>30</sup>

The better Ross came to know his own party members in New Mexico, however, the more disturbed he became. The chairman of the Democratic Party's central committee in the Territory, C. H. Gildersleeve, had bought that position for mercenary reasons, was a speculator in land grants, and was closely tied to the Santa Fe ring by friendship and business connections. It was apparent that he would never declare for reform. Then Ross discovered that Antonio Joseph had crossed party lines on local issues so often that he was actually a political chameleon. Some years later Ross confided his feelings to a remarkably frank manuscript in which he called Gildersleeve "the main Democratic manipulator for the Santa Fe Ring and the most unscrupulous of all that combination." Joseph was described in this document as "Gildersleeve's henchman" who had actually been elected to Congress by a split in the Republican party "engineered" by the Ring.<sup>31</sup>

In Ross' eyes other Democratic leaders of superior talents also revealed a distressing ambivalence when it came to party loyalty. The extremely capable Judge Henry L. Waldo called himself a Democrat but was actually a member of the original Santa Fe ring and a law partner of the chairman of the territorial Republican Party.<sup>32</sup> Another Democrat whose ability Ross wanted to use was William T. Thornton. But the embar-

29. Albuquerque *Morning Journal*, May 4, 1884.

30. "The Gildersleeve, Springer, Joseph Combination." Undated manuscript in the Ross Papers. See also Napoleon B. Laughlin to Ross, April (n.d.) 1886.

31. "The Gildersleeve, Springer, Joseph Combination"; McDowell, *The Opposition to Statehood*, p. 4.

32. "The Gildersleeve, Springer, Joseph Combination."



rassing difficulty here was that Thornton was actually a law partner of Thomas Benton Catron, whom many thought was—with Stephen B. Elkins—the brains behind the Santa Fe Ring. Here Ross had discovered, incidentally, why the Santa Fe Ring was so successful and yet such an enigma: it consisted of the leaders of both parties, and of many rings within the larger one. To use Ross' own words, each combination had, for example, a Republican and a Democratic lawyer within its ranks "for prudential reasons so that whichever side might come uppermost, the dominant party was represented."<sup>33</sup>

All the evils that had presumably been thrown out of the front door could march back through the rear entrance if Ross and the reform Democrats both in New Mexico and Washington were not careful. Determined to check Gildersleeve wherever he could, Ross became a candidate for the governorship upon the news of Cleveland's election. He was no reluctant Cincinnatus dragged from rural Kansas, but an active lobbyist in his own cause. He wrote Cleveland asking for the position of governor, got Burke as a Republican editor to endorse his appointment, and persuaded Albuquerque friends to protest the possible appointment of L. S. Trimble to the position. His friend, S. M. Ashenfelter, kept up an editorial crusade to get rid of Gildersleeve and all rings. Ross himself went to Washington where he found Joseph and Gildersleeve lobbying for other candidates. Much to the surprise of the New Mexican press, and probably to the great surprise and disappointment of Gildersleeve, Ross had soon edged out the other candidates.<sup>34</sup> He received the appointment in May, 1885.

To secure office then, Ross had to fight both the regular Republican and Democratic machines—if the informal, log-rolling factions that went under those names in New Mexico

33. Ross to John O'Grady (copy), March 26, 1887; William A. Keleher, *The Fabulous Frontier* (Santa Fe, 1945), p. 104n.

34. Ross to Grover Cleveland (copy) Washington, April 30, 1885; W. S. Burke to Grover Cleveland, May 20, 1885; manuscript "Petition" of Albuquerque citizens, 1885. Ross Papers.

*Southwest Sentinel*, March 7 and 21, 1885.

*The Las Vegas Daily Optic*, April 24, 1885, thought that William T. Thornton had the best chance of becoming governor and that Ross was only third in line.

can be called that. His correspondence reveals particularly the complexity and bitterness of the intra-party fight. Early in March, 1885, W. B. Childers, an Albuquerque lawyer, warned him that Thornton, while appearing friendly to Ross' cause, was actually seeking the governorship for himself.<sup>35</sup> Three weeks later, George W. Fox wrote from Socorro that Delegate Joseph was "against" him.<sup>36</sup> A year later, while still awaiting Senate confirmation, Ross learned through Senator Manderson of Kansas that his own party chairman, Gildersleeve, had preferred some ten charges against Ross in a secret letter to the Senate Committee on Territories. Among the charges was the accusation that Ross, by pretending to be "Montezuma" on inauguration day, had mocked the religion of the local Indians and had so shocked their sensibilities that it had made Indian-white relations in New Mexico immeasurably more difficult.<sup>37</sup>

What a contrast is this intricate struggle to the Denver newspaper's halcyon description of Ross as an obscure old man who first learned that he was Governor while working in the typesetting room, where, as the news of his appointment spread, an amazed family and a disbelieving set of friends gathered about him to offer congratulations.<sup>38</sup>

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After such complicated preliminaries, it still remains to be seen what sort of administration Governor Ross conducted. Ralph E. Twitchell, no friend of the Kansan, termed it a fiasco. Under Ross, he wrote, "Cleveland's officials organized an assault upon the titles of lands in New Mexico . . . [which for] virulence of action and incapacity of management has never found a parallel in the history of the United States."<sup>39</sup> L. Bradford Prince, Ross' successor in office wrote: "Absolutely honest and well meaning but proud of his firmness, he [Ross] antagonized his own party as well as the Republican

35. W. B. Childers to Ross, March 3, 1885. Ross Papers.

36. George W. Fox to Ross, March 21, 1885. Ross Papers.

37. Senators M. C. Butler and Charles F. Manderson to Ross (n.d.) in "Letters Received, March to April, 1886," Ross Papers. See also Edward L. Bartlett to Ross, April 20, 1886; and Napoleon B. Laughlin to Ross, April (n.d.) 1886.

38. *Denver Opinion*, July 18, 1885.

39. Twitchell, II, p. 498.

legislature, and was soon powerless to accomplish anything." Ross' administration, he concluded, was "quite barren of result."<sup>40</sup> Charles Coan and Helen Haines, each with a one sentence reference to Ross, and Maurice Fulton and Paul Horgan by their complete silence in *New Mexico's Own Chronicle*, would seem to concur.<sup>41</sup>

Besides the difficulties with his local party Ross was hampered at the outset by an uncongenial set of federal officers with whom to work. While Secretary Lane and Attorney General Smith cooperated with Ross, and the venerable Surveyor General, George W. Julian, became Ross' most trusted political friend, they were only the "reform" appointees.<sup>42</sup> Political realities demanded that Congressman William M. Springer, chairman of the House Committee on Territories, Delegate Joseph, and Gildersleeve control most of the patronage. The new chief justice, William A. Vincent, consequently proved to be a friend of Congressman Springer and ex-Senator Dorsey, and eventually a willing advocate of the Santa Fe Ring.<sup>43</sup> The new United States marshal, Romulo Martínez, was so deeply involved in a fight over the legal ownership of the Cañon del Agua Grant that his worth seemed questionable to Ross.<sup>44</sup> While Ross did work with Judge Elisha V. Long and Judge Henderson, he distrusted Reuben A. Reeves.<sup>45</sup> It was in Reeves' court that many of Ross' executive acts were declared invalid.<sup>46</sup>

Although the Delegate Antonio Joseph was not technically a federal official in the sense that the judges and Ross were, much of Ross' program depended upon Congressional legis-

40. Prince, *Concise History*, pp. 205-206.

41. Charles F. Coan, *A History of New Mexico* (Chicago, 1925), p. 407.

Helen Haines, *History of New Mexico* (N.Y., 1891), p. 254.

Maurice G. Fulton and Paul Horgan, *New Mexico's Own Chronicle* (Dallas, 1937).

42. Leis, "Memoirs of Ross."

43. Ross had not been in office a full three months when it was disclosed that Vincent had so compromised himself in rulings on land cases involving his friend Senator Dorsey that Cleveland removed him. Instead of leaving the territory, however, Vincent stayed on to become a lawyer for the very interests Ross was fighting.

"The Gildersleeve, Springer, Joseph Combination"; see also Arie W. Poldervaart, *Black-Robed Justice* (Santa Fe, 1948), p. 135.

44. "The Gildersleeve, Springer, Joseph Combination."

45. Ross to Van H. Manning, Santa Fe, January 15, 1886, describes the subtle pressures of land-grant interests on the federal judges. Ross papers.

46. Rio Grande *Republican*, January 22, 1887. (Bancroft).

lation and support from Washington. While he and Joseph maintained the most cordial public relations, and their correspondence was Chesterfieldian in its politeness and urbanity, Joseph either by disinterest or subtle opposition often defeated some of Ross' most treasured goals. Ross himself appeared frequently in Washington during his term of office to lobby for certain causes in which Joseph had no interest.

Isolated from much of his own party and many of the local officials, it was but natural that Ross should turn to a man with views about New Mexico that were almost identical to his own. This was Surveyor General George W. Julian. Like the governor, Julian had a national reputation as a fearless and incorruptible man, and as a public lands expert as well.<sup>47</sup> Cleveland had appointed the Hoosier statesman in the hope that he could solve the labyrinthine tangle that enmeshed the Spanish and Mexican land grants in New Mexico. Constantly encouraged by letters and notes from Secretary of the Interior Lamar and Land Commissioner Sparks to continue the good work of "reformation and restoration," the two men struggled to settle the land grants once and for all.<sup>48</sup> Unfortunately Julian took the view that truly Draconian measures must be employed. After casting doubt on all the decisions of his predecessors in the Surveyor General's office, he announced that ninety per cent of all the land entries in the territory were fraudulent.<sup>49</sup> While this statistic was probably correct, it also struck at every citizen of means in New Mexico and at the livelihood of the entire legal profession there. Much of the intense bitterness over Ross' administration was actually caused by Julian's ruthless scrutiny of land records and his scathing reports to Washington. Julian's findings led to the arrest of former Land Register Max Frost on charges of fraudulent land entry and his conviction in a trial

47. "George W. Julian," in the *Dictionary of American Biography*, X, 245-246.

48. L.Q.C. Lamar to Ross, September 23, 1885; A. J. Sparks to Ross, November 7, 1887. In acknowledging Ross' Annual Report, Sparks wrote "In the name of the homeseekers I thank you. Let the good work go on. The Land "grabbing" rascals will die hard, but as sure as God is just we'll beat them." Ross Papers.

49. See a review and comments on Julian's assertion in the *Deming Headlight*, September 19, 1886. Ross upheld Julian's "90%" figure in his 1887 message to the Assembly. For comments on his stand, see the *Rio Grande Republican*, January 1, 1887.

before Judge Long.<sup>50</sup> Julian also summarized his investigations in a blunt article for the *North American Review* in which he fiercely denounced ex-Senator Dorsey, and called Gildersleeve a politician "for revenue only."<sup>51</sup> The hornet's nest had been stirred; and the effects soon began to appear. Senator Preston B. Plumb of Kansas warned Ross that letters were pouring into Washington complaining that Julian's methods had brought all business in New Mexico to a standstill, since no one was sure of title to property.<sup>52</sup> In a slap at Julian and the Cleveland administration, the 1886 Democratic Territorial Convention unanimously adopted a resolution to play down land frauds, and Delegate Joseph successfully ran for re-election on such a ticket.<sup>53</sup> Julian was accurate in his charges, and undoubtedly had the future good of New Mexico at heart, but his public diatribes only increased the difficulties under which Ross labored.

While being so closely identified with Julian, Ross also attracted criticism by appointing members of his family to office. One of his sons functioned as his personal secretary while another worked for Julian. His son-in-law, Thomas P. Gable, became warden, while he chose his nephew by marriage, S. M. Ashenfelter, as district attorney for the third district court. Later he replaced Gable with still another relative, H.C. Bennett, his brother-in-law.

Within his own executive branch Ross faced a complicated problem: somehow, he had to oust Republican appointees from important territorial (as opposed to federal) offices such as those of treasurer, attorney general and district attorney before he could put a Democratic administration into gear. A territorial court ruling of 1880, however, declared that the incumbents of territorial office could hold their positions for two years from time of appointment, or until the

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50. Twitchell, II, 498n.

51. George W. Julian, "Land Stealing in New Mexico," *North American Review* (July 1, 1887), pp. 27-30. See also Harold H. Dunham, *Government Handout: A Study in the Administration of the Public Lands* (New York, 1941), p. 180 ff.

52. Preston B. Plumb to Ross, July 9, 1886. Ross Papers.

A typical New Mexican reaction to Julian's charges may be found in the *Rio Grande Republican*, July 16, 1887.

53. Julian, "Land Stealing in New Mexico," pp. 28-29.

biennial legislature should again meet and confirm their successors. Governor Sheldon had shrewdly reappointed all these officials just before leaving office, and since the legislature did not meet again until the winter of 1886-87 it meant that Ross would normally have to wait over a year to replace these men. Like the man he had refused to impeach in 1868, Ross himself was now faced with a local "tenure of office act" which had been designed to curb the governor's power. By dint of persuasion Ross secured two resignations, but his chief stumbling blocks were Colonel William Breeden, the territorial attorney general, and Antonio Ortíz y Salazar, the territorial treasurer. Breeden was also the chairman of the Republican party and further, under Governor Sheldon's lax hand, had become virtually the acting governor of New Mexico.<sup>54</sup> Self-confident, opinionated, a good fighter and a good hater, he obstructed Ross' every move during the latter's first year in office.

Sorely troubled by the continued presence of these Republican officers, Ross badgered the United States Attorney General A. H. Garland for legal opinions as to how he could remove them.<sup>55</sup>

It is very important to the success of my administration that I should remove these officials, if I have the power, and not remain responsible for their continuance in office. . . .

The conditions here are peculiar, and of such a character that I cannot afford to make a mistake by allowing myself to be hurried beyond my judgment. To attempt these removals and be beaten in the Courts, although the intelligent Republican sentiment might be with me, would be an almost fatal mistake, while a successful attempt at removal would at once create a complete political revolution, so prone is the great mass of the people here, the native element, to go with the winning party in a controversy.

Washington was of little help in this matter, so Ross finally decided that he must act regardless of the consequences. After waiting some six months he asked the resignation of

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54. Ross to Attorney General A. H. Garland, Santa Fe, August 24, 1885; see also Ross to Van H. Manning, Santa Fe, January 15, 1886. Ross Papers.

55. Ross to Garland, August 24, 1885.

E. C. Wade as district attorney of the third judicial district. Wade refused to resign and Judge Reeves upheld Wade's contention.<sup>56</sup> Defeated in the courts, Ross tried another tack with Colonel Breeden. By November, 1885, he felt that he had enough evidence of misconduct in office to suspend Breeden. Using the trusted medium of the press, he fired that obstreperous official in a broadside proclamation the language of which electrified the territory:<sup>57</sup>

As to the "cause" for your suspension . . . you were suspended for drunkenness, licentiousness, gambling, and misfeasance, malfeasance and nonfeasance in office; crimes which ought not be tolerated in a public official.

In replacing Breeden Ross attempted to make peace with some of the factions in his own party. He approached his former competitor for the governorship, W. T. Thornton, with the proposal that if Thornton would end his law partnership with T. B. Catron, Ross would make him attorney general. Thornton refused to accept the conditions, and Ross appointed Napoleon B. Laughlin in his stead.<sup>58</sup> At the same time Ross supported another competitor for the governorship, Romulo Martínez, for the marshalship.<sup>59</sup> These efforts at cooperation with the other wings of the Democratic party appeared to have had little practical effect, however.

Ross waited until July, 1886, to remove Ortíz y Salazar, the territorial treasurer. Again he used the method of public proclamation. Charging Ortíz y Salazar with having speculated in territorial warrants and with mismanagement of funds designed for building the territorial penitentiary, he removed him and appointed Bernard Seligman in his place.<sup>60</sup>

Knowing that the legislature might not confirm his new choices, Ross tried to get Congress to pass a bill reapportion-

56. Ross to E. C. Wade, October 22, 1885.

57. Ross to William Breeden, Santa Fe, November 13, 1885; see also printed "Broadside" published November 24, 1885. Ross Papers.

58. Ross to Van H. Manning, Santa Fe, January 15, 1886. Ross Papers.

59. Ross to Senator John J. Ingalls, June 3, 1886, in which Ross urged that Judges Long and Henderson, and Attorney General Smith be continued in office.

60. See Public Letter of Ross to Ortíz y Salazar, July 28, 1886. Ross Papers. The *Las Vegas Chronicle*, August 18, 1886, contains an account of the Ross-Salazar fight. (Bancroft).

ing the gerrymandered legislative New Mexican districts so that a more amenable body might be elected to the 1886-87 session.<sup>61</sup> With opposition from Gildersleeve at home and with luke-warm support from Joseph, this plan failed. Having tangled with the courts, Ross' "interference" with the legislative branch naturally embittered his relations with the members of the 27th Assembly. They convened in 1887 ready with mailed fist to do battle with the Kansas interloper. Although the Republicans had only a slight majority in either House, they were so tightly and brilliantly controlled by a caucus system set up and run by Colonel Chávez that Ross could never break the phalanx.<sup>62</sup> And to hamper Ross still further, in the fall of 1886 the lawyers of New Mexico had formed a Bar Association with none other than ex-Judge William Vincent as its president. Whenever the legislature considered a bill, it went to the Bar Association for approval first; and if it did not approve, the bill went no further.<sup>63</sup> This was even more the case in 1889 when the Bar virtually wrote and introduced every act passed.

The complicated infighting which characterized Ross' relations with the 27th legislature need not be detailed here. Suffice it to say that he vetoed some twenty-five percent of the bills passed by the Assembly, and it, in retaliation, embarrassed him at every turn. Ross, for example, was soon at loggerheads with the solons over his direction of the new penitentiary.<sup>64</sup> In seeking someone he could trust, Ross quite unwisely appointed his son-in-law, Thomas P. Gable as Warden. The newspapers quickly filled with innuendoes about the

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61. Antonio Joseph to Ross, May 31, 1886; Shelby M. Cullom to Ross, June 3, 1886; Benjamin Harrison to Ross, June 7, 1886. In his letter Harrison indicated that he disapproved of the reappointment scheme as federal interference with local government. Ross Papers.

62. Ross to L. Q. C. Lamar, January 26, 1887.

Joseph had warned Ross in 1886 that he must get Frank Manzanares to persuade Don Candelario García to vote Democratic in order to control the Council. García, who posed as an "independent" in a council divided into six Republicans and five Democrats, finally found the opposition more attractive. Joseph to Ross, Ojo Caliente, November 24, 1886.

A good analysis of the makeup of the 27th Assembly may be found in the *Deming Headlight*, January 2, 1887.

63. Prince, *Concise History*, p. 206.

64. See references to the penitentiary fight in the *Santa Fe New Mexican*, February 1 to March 30, *passim*; see also "Letters Received, January-February-March, 1887" in Ross Papers.



"Gable-Ross syndicate," nepotism, and the like. The pettiness of the conflict is revealed by Gildersleeve's writing a letter to the Secretary of the Interior accusing Ross of stealing stone from the penitentiary for his own use.<sup>66</sup> And as Ross had feared, the Assembly declined to confirm Seligman as treasurer, to seat Henry L. Warren as attorney general (N. B. Laughlin had declined the appointment) or to accept two new appointees for positions of district attorney.<sup>67</sup> Finally, the Assembly defeated a good public school bill which had been backed by Ross.<sup>68</sup>

Despite the actual defeat of every item of his program, Ross' fighting spirit was never stronger. It was now that he "rejoiced in opposition," to use Prince's phrase. In a letter to John O'Grady, a newspaper friend in St. Louis, he admitted that the legislature might make him seem such a terrible executive that Cleveland would ask for his resignation. If that happened, he predicted they would then move against Julian and Attorney General Smith. He also confessed that his enemies had large newspaper backing. But he was optimistic about the long-range effects.<sup>69</sup>

This crusade is tending to a reorganization of party lines here. All fair-minded, law abiding people, Republicans as well as Democrats, are disgusted with the composition and course of the majority in the late Legislature. . . .

In the same letter Ross drew an ironic parallel between his fight with the New Mexican Assembly and that of himself and Johnson with a Radical Congress. Then he threw down the gauntlet:

I defy them now as on the other occasion cited, to do their worst. This is 1887, not 1868. . . . This has become a fight to the

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65. Pamphlet: *The Other Side—Warden Gable's Reply* (Las Vegas, 1887), in Ross Papers. See also *Rio Grande Republican*, March 5, 1887.

Ross made the further mistake of appointing his brother in law, H. C. Bennett, to replace Gable. See criticism of the appointment in the *Deming Headlight*, October 28, 1887.

66. Gildersleeve to the Secretary of the Interior (copy), February 26, 1886. Ross Papers.

67. Ross to L. Q. C. Lamar, January 26, 1887, in Ross "Letterbook," Ross Papers.

68. Ross to John O'Grady, March 26, 1887.

69. *Ibid.*

death, it will go on till I am killed or out of office or the thieves in prison.

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Before the next Assembly was to meet, Ross became involved in less dramatic but extremely important disputes over the economic destiny of New Mexico. Here again he was forced into the role of a fighting minority, even within his own party ranks. True to his Kansas free-soil convictions and philosophy, Ross dreamed of a New Mexico populated by homesteading family farmers who boasted an American background. He constructed an attractive catechism of New Mexican development which he pursued by speech and deed for the rest of his life. It ran as follows: settle the Spanish and Mexican land grant tangle by a special federal commission or court. Once title is cleared, reserve these public lands for homesteaders rather than ranchers, the small farm to be made feasible by government irrigation projects which would supply water at cost to the settler.<sup>70</sup> Simultaneously, mining should be encouraged both by the importation of capital and the building of railroads. The farmer would therefore have a ready made local market in the mining communities, while the mining companies and the railroads would furnish the economic means to bring schools, proper political organizations, civilization, and statehood. In every annual report, in every speech, he recited this plan. And while Ross may not be counted as one of New Mexico's most popular or successful governors, he had nevertheless such a thorough and significant free soil theory of colonial maturation, that had he been successful he would have been indeed a "Montezuma" for New Mexico.

In what ways did he attempt to make his program or "credo" a reality? In his annual reports to the Secretary of the Interior Ross at first urged the creation of a Federal Commission (this was the era of the Utah, Civil Service, and Interstate Commerce Commissions) to settle land problems. He persuaded Joseph to introduce a bill to Congress to that

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70. *Report of the Governor of New Mexico to the Secretary of the Interior, 1886* (Washington, 1886), p. 8.

effect.<sup>71</sup> He also asked prominent New Mexicans to go to Washington to lobby in its behalf.<sup>72</sup> Ross encountered both the opposition of Julian and United States Land Commissioner Sparks, however, so that a year later he declared instead for the creation of a court of private land claims.<sup>73</sup> He journeyed to Washington to testify in favor of its creation. Upon discovering that the proposed court was to sit exclusively in the national capital, he conducted a campaign to amend the act so that the court must convene in the territories affected. Only in this way, Ross thought, could the small claimant bear the expenses of a trial. When the McCreary Act embodying these proposals became law in July, 1888, Delegate Joseph graciously congratulated Ross on having played a major role in its formulation and passage.<sup>74</sup> Since Governor Prince somewhat immodestly takes full credit for having gotten this court, and Ralph Twitchell gives Frank Springer the credit for its creation, it seems only fair—given the actual history of the origins of this court—to let Ross share some of the laurels too.<sup>75</sup>

An incidental obstacle to the achievement of Ross' New Mexican "utopia" was the Indian problem. When renegade Apaches led by Geronimo and other chiefs went on the war-path in the fall of 1885, the settlers and miners of southwestern New Mexico and portions of Arizona besieged Ross with panic-stricken reports. Angered by the slow movements of General Crook, and acutely distrustful of Crook's use of Indian scouts, Ross in a joint letter signed by all federal New Mexican officials asked Cleveland to remove Crook and ap-

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71. *Report of the Governor of New Mexico to the Secretary of the Interior*, 1885 (Washington, 1885), pp. 4-5. See also Antonio Joseph to Ross, May 31, 1886, and July 19, 1886. Ross Papers.

72. Ross' efforts to raise a delegation of influential New Mexicans to go to Washington to force settlement of land titles are revealed mostly by the replies of the men approached. See the letters of Román Baca, Antonio Joseph, A. J. Fountain, Thomas Dorsey, John A. Lee, Nicolas and Nestor Armijo, W. B. Childers, H. M. Meredith, to Ross in "Letters Received, November-December, 1887," Ross Papers.

73. *Senate Executive Document No. 136*. 49th Cong., 1st. Sess.; see also Ross' testimony before the Committee on Private Land Claims on July 26, 1888, extracts of which may be found in his "Political Speeches," in the Ross Papers.

Julian, "Land Stealing in New Mexico," pp. 29-30.

74. Telegram of Antonio Joseph to Ross, July 25, 1888; letter of Joseph to Ross, July 30, 1888. Ross Papers.

75. Prince, *Concise History*, p. 207; Twitchell, II, 462-467.

point General Nelson A. Miles in his stead.<sup>76</sup> He pressed Governor Zulick of Arizona to do the same.<sup>77</sup> Ross was also highly indignant that certain eastern papers were suggesting at this time that the settlers were playing up an Indian war in order to sell agricultural goods at premium prices to troops.<sup>78</sup> Far from being a sentimental humanitarian, Ross stood for any Indian policy, no matter how harsh, which would allow the settler to come in. On the Indian issue, at least, Ross and the territory were united. It is fitting in a way that the last Indian outbreak in New Mexican history should be ended during Ross' "no nonsense and no pampering" administration. Nor is it surprising to find that he supported the Dawes Severalty Act, which in theory turned the Indian into a homesteading farmer.<sup>79</sup>

By advocating homestead policies, Ross inevitably came into conflict with the range cattleman just when the latter was in his heyday. Although mining provided some \$6,000,000 in wealth annually for New Mexico in 1886, the product of the cattle industry that year was estimated at \$13,000,000.<sup>80</sup> Moreover, it was Texas cattlemen and ranchers who comprised an important section of the territorial Democratic party. Nevertheless, when Ross learned that the Lincoln County Stock Association was harassing sheep men in that district, his sympathies were immediately on the side of the sheep men.<sup>81</sup> By correspondence with local democrats and sympathetic editors Ross discreetly collected evidence about these conflicts. The more he learned the less he approved of cattlemen in general. He found, for example, that the so-called "quarantine laws" designed to keep diseases—and notably Mexican cattle—out of the territory, actually had the practi-

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76. Ross to Grover Cleveland, Santa Fe, November 7, 1885. Ross Papers. See also W. H. H. Llewellyn to General George Crook, January 30, 1886, quoted in Katherine Shephard, *The Miles-Crook Controversy*. Unpublished Master's Thesis (Department of History, University of New Mexico, 1936), p. 50.

77. Ross to Governor G. Meyer Zulick, Santa Fe, August 4, 1886. MS. letter in Arizona Territorial Papers (Arizona State Archives, Phoenix).

78. Ross to Congressman James Laird, Santa Fe, December 5, 1886. Ross Papers.  
79. *Ibid.*

80. Hammond and Donnelly, *The Story of New Mexico*, p. 137. *The Stock Grower* (Las Vegas), February 11, 1888.

81. ——— to Ross, Fort Stanton, June 22, 1885; John Y. Hewitt to Ross, White Oaks, New Mexico, June 23, 1885. Ross Papers.

cal effect of reserving the range for those cattlemen who were already in New Mexico. Many local ranchers were, in fact, smuggling more cattle in from Mexico in order to hold larger range plots.<sup>82</sup> Since the sheriff of Lincoln County was also the vice-president of the Cattle Association there, Ross knew that he was not a very reliable instrument of justice where sheep men were concerned.<sup>83</sup> But to Ross the injustice went further than that. To him the ranching industry implied a sparse population, huge landed estates—which he called “a constant menace to popular government”—and oligarchic rule. It does not seem too far-fetched to suggest that Ross saw in the rancher the threat to freedom that he saw in the slave-owning planter in Kansas in 1856.

Typical of Ross' difficulties in bringing about justice in a cattle-sheep conflict was his experience in dealing with one E. Carlisle, a rancher living on the New Mexico-Colorado border. In the winter of 1885-86 Ross learned that two Durango cowboys employed by Carlisle had shot and killed a New Mexican sheep herder with the improbable name of Ricardo Jacques. A mock trial had been held, during which the friends of the cowboys had brought their guns into the courtroom and had held a cocked Winchester on any witness thought to be hostile. Ross' investigation also revealed that Carlisle had wired Attorney General Breeden to get his men “off.” As the unpleasant facts came in the Governor concluded that not only had injustice been done, but that Carlisle's was a “hurrah” outfit which had caused trouble with Indians in that section; and further, as Coloradoans, had actually poached on New Mexican soil traditionally reserved for sheep herders.<sup>84</sup> Nothing in Ross' whole career excited him more than this type of evasion of law and order. In a phillipic to Carlisle, whom he considered the real culprit he declared that:

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82. J. E. Curren to Ross, Lake Valley, New Mexico, July 7, 1885. Ross Papers.

83. Hewitt to Ross, June 23, 1885. Ross Papers.

84. See letters, newspaper clippings, telegrams, and public broadsides in “Cattle-Sheep Wars” folder, Ross Papers. See particularly a broadside letter from Ross to Carlisle, February 9, 1886; Carlisle to Ross, Durango, February 18, 1886; Ross to J. D. Warren, February 16, 1886; T. D. Burns to Ross, Tierra Amarilla, February 17, 1886; Ross to Carlisle, February 18, 1886; Affidavit of Telesfor Lopez, March 8, 1886.

Your employees . . . have for years constituted the nucleus of an element that has practically terrorized that region of country. You have permitted them to go armed, contrary to the laws of New Mexico, and sustained them in their lawless proceedings, till a reign of public disorder seems imminent. You have the power, through control of your employees, to put a stop to these practices. This, I insist that you do and cause them to respect the equal right of others, and the law. If you do not, they shall be arrested and punished, or driven from the Territory.<sup>85</sup>

Ross was as good as his word for by May, 1886, the Grand Jury of Colfax County had indicted William Wilson for murder and Lee Hamblett and Stephen Roupe as accessories, and the men were eventually convicted.<sup>86</sup> In other instances, however, Ross failed to make his power felt. Evasive and laconic explanations by local peace officers of how somebody just happened to get shot by "persons unknown," or who had obviously let the guilty parties escape, drew from Ross thunderous reminders that they must do their duty or else.<sup>87</sup> Nevertheless, the cattle and sheep "wars" continued, and local sheriffs and juries continued to favor the cattleman.

Ross expressed his anti-cattle bias in his first annual report to the Interior Department by recommending that there be no further disposal of public lands except for homesteading purposes.<sup>88</sup> In subsequent reports he commented that the cattleman's theory of a permanent range was a bad one, for a cattle frontier was by nature temporary.<sup>89</sup> In a speech to the Aztec Club of New Mexico in July, 1885, he complimented the cattlemen upon their contribution to the settlement and wealth of the territory, but he warned them that there must be order between them and the sheep interests. That order was needed, he said, so people would migrate to New Mexico. "People are worth more to a state than steers," he exclaimed, . . . "for with people comes capital and the spirit of commercial

85. Ross to Carlisle, February 9, 1886.

86. MS Bills of Indictment for William Wilson, Lee Hamblett, and Stephen Roupe presented by the Colfax County Grand Jury, 1886.

87. See "Proclamations" in Ross Papers for one to force sheriffs "to make arrests."

88. *Report of the Governor of New Mexico*. . . , 1885, pp. 7-8.

89. *Report of the Governor of New Mexico*. . . , 1887, pp. 6-8.

adventure, development, prosperity, and greatness.”<sup>90</sup> Two years later he bluntly told a crowd at the Territorial Fair that the “granger was coming and coming to stay.”<sup>91</sup>

Naturally, Ross’ position caused comment. J. E. Curran, editor of the *Sierra Grande Press* wrote in the fall of 1885:

I ‘love you for the enemies you have made’. The rings and cliques don’t like you. The Deming ring don’t like you. The Hopewell and Grayson cattle ring are down on you, and the Las Cruces gang would betray you first chance.<sup>92</sup>

A week later Jesse E. Thompson, the Superintendent of Public Schools in Sierra, warned that the “Cattle barons” and “land jobbers” were down on Ross and were allied with Breeden and Thornton.<sup>93</sup>

It would seem obvious that if Ross properly fitted the “rule or ruin” role conferred upon him by Max Frost and others, he would have gone after the Maxwell Land Grant Company and Frank Springer, its able lawyer. Here was another symbol of all Ross disliked: the seemingly fraudulent land grant claim, the cattle empire with an anti-nester policy, and the economic tyrant of most of northeastern New Mexico. While Surveyor General Julian would give no quarter to these interests, Ross steered clear of the perennial feuds and imbroglios in Colfax County as much as possible. He carefully evaded identification with Oscar P. McMains, that indefatigable crusader against the Maxwell interests. He allowed M. W. Mills, a Republican and a Maxwell man, to remain district attorney in Colfax County throughout his administration despite strong pressure from local Democrats to appoint Sydney Smith. While Mills was certainly a capable attorney

90. Pamphlet: *Governor Ross’ Banquet Speech to the Aztec Club of Albuquerque* (July 22, 1885). Copy in Henry E. Huntington Library. See also *Albuquerque Morning Journal*, July 23, 1885.

91. *Albuquerque Morning Democrat*, September 21, 1887; *Deming Headlight*, September 23, 1887.

Roy Willoughby has asserted that open-range ranching in New Mexico was actually on the decline by 1885. See his *The Cattle Range Industry in New Mexico*. Unpublished Master’s Thesis (Department of History, University of New Mexico, 1933), p. 89.

92. J. E. Curren to Ross, November 29, 1885. Ross Papers.

93. Jesse E. Thompson to Ross, December 8, 1885. Ross Papers.

he was by no means a reformer.<sup>94</sup> Ross even shied away from outright support of any one newspaper or policy for the region. It is very probable that Ross expected the Maxwell Company to get its just deserts in the outcome of the trial pending against it in the Supreme Court in 1887. But the surprise decision that the Company had a right to its extended claims put an end to any such hope.<sup>95</sup> The point to be made is that while Ross was a reformer who wanted to impose free soil ideals on New Mexico, he was not so impulsive and uncomplicated as Max Frost might suggest in his stereotype. As Ross himself had said to Attorney General Garland, he did not want to be "hurried" beyond his judgment.

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By 1887 it was obvious that Ross was not going to "reform" New Mexico through legislation, or by way of a faithful executive set of officers. Relying upon his faith in public opinion he had established a small administration paper, the *Santa Fe Weekly Leader*; but deprived of legislative patronage, it quietly succumbed. He negotiated through prominent Democrats to buy the *Las Vegas Chronicle* and later the *Optic*, but these efforts also failed.<sup>96</sup> While he had the support of J. C. Albright in the *Albuquerque Morning Democrat*, J. E. Curren in the *Sierra Grande Press*, and Singleton M. Ashenfelter, editor of the *Southwest Sentinel*, these were not powerful enough to turn the tide of hostile opinion. The inchoate societies of the Southwestern mining towns and the recently arrived farmers whose interests Ross defended were not yet organized in such a way that they could be a force in Ross' favor. Clearly Montezuma's restoration was at an impasse. How could he find his way to go ahead?

Ross' answer was similar to Johnson's program for reconstructing the South: a quick and easy passage to state-

94. See letter in behalf of French in "Letter Received, July, 1885"; J. C. Holmes to Ross, Raton, July 31, 1885; and O. P. McMains to Ross, August (n.d.), 1885 urging Mills' removal. Ross Papers.

95. Dunham, *Government Handout*, pp. 233-238, also the *Santa Fe New Mexican*, February 2, 1889.

96. Scattered copies of the *Leader* are in the Ross Papers. See also correspondence concerning the purchase of the *Gazette* and *Optic* in "Letters Received, March to April, 1886," Ross Papers. Delegate Joseph was pessimistic about the success of a Democratic paper in Santa Fe and refused to encourage Ross in his endeavors. Joseph to Ross, July 23, 1886.



hood. In the spring of 1887 he persuaded the amiable Delegate Joseph to present a memorial for New Mexico's admission to the Union. His hopes rose further when Congress considered the Springer Omnibus Bill of December 1887, which proposed that the Dakotas, Montana and New Mexico be admitted together. Writing to his brother-in-law, H. C. Bennett of Silver City, he urged him to support the bill. The advantages of statehood were so great, he argued, that the New Mexican public must be aroused to demand admission.<sup>97</sup> The failure of the Springer bill did not dampen Ross' enthusiasm. Again in 1888 Joseph was persuaded to introduce a statehood memorial, and Ross himself began to mention the outlines of a proposed constitution in his public speeches.<sup>98</sup> Even after Cleveland was defeated in November, 1888, and it was obvious that Ross' term as governor would soon end, he declared himself in favor of statehood in his message to the 28th Assembly.<sup>99</sup>

While the political intrigues surrounding the 1889 constitutional convention occurred after Ross had left office, and do not fall within the purview of this study, it is proper to note that despite the opposition of much of his own party—who felt that the Republican legislature had unfairly apporportioned the delegates to the convention—Ross appears to have worked diligently for admission. The constitution produced by that convention was so conservative and “pro land grant,” however, that in disgust he joined his party in opposing its ratification. Ross is on record as having opposed statehood when in actuality he opposed only the constitution propounded by the statehood forces of 1889 and 1890.<sup>100</sup>

Ross' final year in office was crowded with frustrating difficulties. The election of a new legislature was accompanied by evidence of such blatant frauds at the polls that Ross appealed to Washington for legal aid to prevent the defeated candidates

97. Ross to H. C. Bennett, Washington, February 24, 1888.

98. See “copy” of Joseph's Memorial, March 27, 1888, in Ross Papers.

99. Edmund G. Ross, *General and Special Messages to the 28th Legislative Assembly of the Territory of New Mexico* (Santa Fe, 1889), p. iv; *Acts of the Legislative Assembly of . . . New Mexico, Twenty-Eighth Session* (Santa Fe, 1889), Chapter 99, pp. 235-240.

100. For an excellent post-mortem of the 1889 vote on the New Mexico Constitution, see Ross' broadside public letter to Congressman C. H. Mansur, January 5, 1890, entitled “The New Mexico Statehood Proposition.” Ross Papers.

from contesting the election and thus hampering the legislature. The election itself had been climaxed by the murder of Dumas Provencher, a homesteader, who was shot at the polls in San Rafael. The murder was a political one, but Ross' efforts to apprehend the killers were met by such extraordinary evasiveness on the part of both parties that little could be done.<sup>101</sup> As he read the conflicting reports he was faced with a new Assembly whose Republican members seemed determined to clear those suspected of committing the crime. Undoubtedly he agreed with the pessimistic conclusion of Walter G. Marmon, an old friend who was now the governor of Laguna Pueblo, who wrote him that the "present legislature" was no improvement on the one of two years before: "personal likes and dislikes, partisan hate and ignorance rule the actions of its members."<sup>102</sup>

Still undaunted, Ross sent a ringing reform message to the 28th Assembly. He proposed abolition of the antiquated and unsatisfactory financial system of the territory. Unfair taxation, speculation in territorial warrants, the corrupt office of county assessor and non-taxation of land grants were his particular targets of criticism. He made his usual plea for a public school system and at the same time urged the establishment of an insane asylum. In conformity with his homesteading and mining program for New Mexico, he urged the creation of an agricultural college, irrigation development, the settlement of land titles, and a geological survey for the Territory.<sup>103</sup>

Like its predecessor, the 28th Assembly was extremely hostile to Ross. Now that enough time had elapsed so that Ross had the legal right to appoint new territorial officers, the legislature refused to confirm most of his choices, full knowing that if they did, these Democratic incumbents could then hold office for two years—just as Colonel Breeden had

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101. Amado Chávez to Ross, San Mateo, November 10 and 28, 1888; and Walter G. Marmon to Ross, Laguna, January 26, 1889. Ross Papers.

102. Marmon to Ross, *Ibid.* Marmon was a surveyor who came to New Mexico to work on the Navajo Reservation project. He remained in the Territory to become a teacher and trader at Laguna Pueblo. After marrying into the tribe he became its governor in 1886.

103. Edmund G. Ross, *General and Special Messages to the Twenty-Eighth Legislative Assembly of New Mexico* (Santa Fe, 1889).

done. Naturally they could hinder a Republican governor's program. The ends to which the legislature was willing to go to prevent Ross from making any appointments can be seen in the Act which created the office of "Solicitor General" for the Territory. This new office virtually appropriated all the duties of the Attorney General, but was not to be filled until October, 1889 (after Ross would be safely out of office). Further, any attempt to "impersonate" the Solicitor General's duties under another title was declared a "felony." Thus if Ross' appointee to the Attorney General's office carried out his duties, that was a felonious act. At the same time he could not appoint a solicitor general. And despite his veto, the act became law.<sup>104</sup>

In his relations with the 28th Legislature, both Prince and Twitchell have stressed Ross' lavish use of the veto power.

In 1889 there were in all 145 laws enacted. Of the first 45, Governor Ross approved 26, three were passed over his veto, and 16 became valid "by limitation". The relations between the governor and the legislature being more and more strained, we find that of the last 100 laws he approved only 21, nine being passed over vetoes and 70 becoming valid without action by the governor.<sup>105</sup>

By Prince's interpretation, Ross' role was merely that of an irate negator. They fail to mention that a Ross supporter and fellow editor, J. A. Kistler, pushed through an intelligent public school bill only to have it defeated at the last moment by Tom Catron in a complicated maneuver to garner Republican support for a constitutional convention.<sup>106</sup> Similarly, Pedro Perea is given credit for ending the vicious speculation in territorial warrants and reforming New Mexico's financial system, when it was Ross' close friend and fellow Democrat, Henry L. Waldo, who drew the bill. Similarly, the legislature did, with an incredible amount of log-rolling, establish an asylum, a university, an agricultural and a mining college,

104. Prince, *Concise History*, pp. 205-206; Twitchell, II, 501.

105. Prince, *Concise History*, *Ibid.*

106. Ross himself wrote a clear account of the defeat of the Kistler school bill in a pamphlet entitled: *Public Schools and Statehood for New Mexico* (March 31, 1890) which was actually a public letter to Congressman J. S. Struble. Ross Papers.

and passed Ross' wanted call for a constitutional convention.<sup>107</sup> Ross' administration was not so "barren of result" as Prince has suggested. Actually, Ross had shown the need for educational, financial, and land reform which the legislature, hostile or not, eventually had to acknowledge. It is indeed ironic that Governor Prince's administration is given the credit for a decent public education law, a workable financial system, the institution of the Private Court of Land Claims, and a major attempt at statehood. While Prince did secure these things, in a sense he merely reaped where Ross had sown.

As always when he was seeking justice, Ross exposed the Assembly's failures by publishing a broadside letter to New Mexico at large. In it he lamented the death of the Kistler school bill which he called a "blunder which falls but little short of a crime." Determined to separate the sheep from the goats, he praised his old enemy, Colonel Chávez, for having supported the bill.<sup>108</sup> Ross' suggested remedy was the same that he and Burke had proposed six years before: a federally imposed system of education for the territory. In a prophetic warning he declared that without public education New Mexico would never be admitted to the Union. A dozen years later when Albert Beveridge began his ten year crusade to prevent New Mexico's admission, the lack of schools was one of his most telling arguments.<sup>109</sup> In a last-minute appreciation of Ross, an old opponent, the editor of the *Deming Headlight*, praised him for his intelligent and courageous stand against the Legislature.<sup>110</sup>

There is no doubt that many of Ross' goals were idealistic and impracticable given the political and economic conditions of New Mexico in the late 1880's. He was often too exacting and blunt in dealing with men who had lived for twenty years or more on legal intricacies and clever deals. His faith in public opinion led him to move too openly and to depend on

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107. Twitchell, II, 501-502.

108. *The New Mexico Interpreter* (White Oaks, N. Mex.), March 8, 1889.

109. *Ibid.* Ross *Public Schools and Statehood*; see also Charles E. Maddox, *The Statehood Policy of Albert J. Beveridge, 1906-1911*. Unpublished Master's Thesis (Department of History, University of New Mexico, 1947).

110. *Deming Headlight*, March 8, 1889.

proclamation, and his faith in automatic regard for good service was perhaps naïve. Just as he was about to be relieved of office, he appears to have entertained the hope that his old senatorial friend, Benjamin Harrison, would keep him on for a time. But with the Santa Fe politicians barking at his heels, the new President could do no such thing; and L. Bradford Prince became governor in Ross' stead.<sup>111</sup>

Ross left office, unlike most New Mexican territorial governors a relatively poor man. His friend, S. M. Ashenfelter, having just purchased the *Deming Headlight*, offered him a job on that paper. Ross was to accept the position a year later. Before that transpired however, Max Frost, Ross' old enemy came forward to offer him a job on the Santa Fe *New Mexican*! Twitchell, the *New Mexican* and the Ross family, all say that the amazing offer was accepted.<sup>112</sup> Ross' purpose appears to have been to advance the cause of statehood, of which Max Frost was now the leading editorial advocate in New Mexico. By this strange alliance, each man paid tribute to the ability of the other as a foeman worthy of the other's steel. But it was also Ross' tribute to the power of the press which had so excoriated him during his four years in office. This ill-fitted alliance was short-lived, nevertheless, and by 1890 the *New Mexican* called the late governor "that thick-skinned bundle of conceit at Deming."<sup>113</sup> Relations between them had returned to normal, it seems.

Ross spent the remainder of his life preoccupied with his dream of a populous, agricultural New Mexico. Appropriately, he became the Secretary of the Territorial Board of Immigration, and a writer of articles in behalf of irrigation. In later years, he turned more and more to a history of that great moment in his life: Andrew Johnson's impeachment, which he wanted to treat in a full length account. Troubled by failing eyesight and poor health, he nevertheless managed to publish a work on the famous trial in 1896. But Ross was dissatisfied with his own account and was still redrafting a

111. Ross left office April 2, 1889. Pomeroy, *Territories and the U.S.*, p. 110.

112. Twitchell, II, 497n.; Leis, "Memoirs of Ross"; Santa Fe *New Mexican*, January 8, 1890.

113. *Ibid.*

manuscript of the earlier version when he died in 1907.<sup>114</sup>

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One may ask: what is the significance of Ross as the chief executive of New Mexico? He was, first of all, a transitional governor who realized that it was high time the territory began to move towards economic maturity and statehood and away from an economic and political colonial status. Always advocating railroads and mining as well as agriculture, he laid the foundations—or at least they were formed while he was in office—for a new economy. As one student of New Mexican history has observed:

The time between 1880 and 1900 may be called the beginning of the present type of economy in New Mexico and the arid Southwest, for the arrival of the Santa Fe [Railroad] heralded the replacement of mercantile capitalism by the industrial capitalism still present today. . . . [An] . . . economic theory which appears to have been borne out in New Mexico in this period is that as a region progresses from an underdeveloped one, the inequality of income diminishes.

Heath estimates that in the period 1880 to 1900 property values in New Mexico increased 372.5 per cent with no population explosion to accompany it.<sup>115</sup> Whether successful or not, Ross' own economic program was designed to bring about just such beneficial changes as Heath has described.

The veteran Kansas Free Soiler also had the faith that he could remake New Mexico just as he and his friends had "shaped" Kansas while defeating the slavery interests. Ross, then, was a creature of habit, for his techniques were the familiar ones of the abolitionist crusade by printed word, the "reconstruction" of society (in the Radical Republican sense of that phrase) by land reform, and finally by political democratization. He also had faith in the power of the federal government to do anything for the general welfare. To these elements he added a belief in a powerful executive. While he

114. Leis, "Memoirs of Ross." See also Ross, *History of the Impeachment of Andrew Johnson . . . for High Crimes and Misdemeanors in Office* (Santa Fe, 1896).

115. Jim Heath, *A Study of the Influence of the Atchison, Topeka and Santa Fe Railroad Upon the Economy of New Mexico, 1878 to 1900*. Unpublished Master's Thesis (Department of Economics, University of New Mexico, 1955), p. 5 and p. 168.

failed to reconstruct this second territorial home in the fabled land of Montezuma, a perusal of the records would indicate that his failure was due not so much to the stubbornness and antagonizing qualities as it was to a weak and divided Democratic party, an able and sometimes brilliant opposition by Republican leaders, and too great haste.

On the other hand, it should be remembered that Ross was not exactly a voice crying in the wilderness. While he was in office Congress was busy using radical reconstruction techniques in Utah in order to end polygamy and curb the power of the Mormon Church. In Wyoming Territory Governor Thomas Moonlight was defending the "nester" against the cattlemen, and behind them all stood a reformist Department of Interior. Just as he was leaving office, Ross' heroes—the farmers—had begun to form alliances in the Middle West and in New Mexico itself to fight for reforms of their own.

On the local level, however, Ross retired from office under conditions similar to those Andrew Johnson had experienced during his last year in the White House: shorn of his appointment powers by tenure of office acts and hampered by a hostile legislature. But "Montezuma" Ross at least had the grim pleasure of knowing that he had given the political and economic old guard in New Mexico an "Indian scare" they would not soon forget and would some day appreciate. In the entire history of American territorial government after the Civil War Ross alone appears to have sought to make the traditionally weak position of governor powerful—and through that medium work to revamp the economic and political structure of a vast region. His failure was not nearly so significant as his dream.

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116. For evidence of the Farmers' Alliance movement in New Mexico see the *Raton Daily Independent*, February 28, 1889. (Bancroft.)

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## THE PRESIDIO SUPPLY PROBLEM OF NEW MEXICO IN THE EIGHTEENTH CENTURY\*

*By* MAX L. MOORHEAD

THE Presidial Company of Santa Fe, usually numbering above one hundred officers and men, constituted one of the most remote garrisons on New Spain's northern frontier during the eighteenth century. Regular troops serving there faced not only the ordinary military dangers of campaigning in rugged terrain against hostile Indians but also the morale-shaking economic perils of indebtedness. They almost never received sufficient income to cover their expenses. The problem was general all along the northern frontier, and although it was never satisfactorily solved, the higher authorities, from the King down to the Comandante General, fully realized the seriousness of the situation and repeatedly attacked the difficulties. Some improvement was attained before the close of the century, but most of the reforms that were instituted changed procedures rather than conditions.

At first the frontier troops were paid their salaries in cash and were allowed to buy their provisions and equipment from local or itinerant merchants as best they could. In their remote posts, however, they were soon at the mercy of a few tradesmen whose prices were under little if any official restraint. Unable to cover these mounting costs with their own fixed pay, the soldiers fell into a steadily increasing debt. During the seventeenth century a new practice was developed wherein the purchase of provisions was centralized in the captains of the presidial companies. It was supposed that these officers could bargain with the merchants more effectively than could the individual soldiers. Also during the seventeenth century half of the salaries of these troops, and sometimes the entire amount, was paid in provisions rather than cash. Not only did this reduce the treasury's risk and

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Dr. Moorhead is Professor of History, University of Oklahoma, Norman.



difficulty in transporting specie to the isolated presidios but it also, in theory at least, prevented the troops from overspending for their needs. In practice it did not. The company captains, who were sometimes also the provincial governors, were as rapacious as the merchants. They bought the provisions from private tradesmen at one price and sold them to the soldiers, or charged them against their salaries, at a much higher rate. Thus, while these officials profited enormously, the troops sank even more deeply in debt.<sup>1</sup>

In New Mexico, the Presidial Company of Santa Fe had authorized Captain Félix Martínez and a local merchant, Pedro Otero, to purchase its provisions. The Marqués de Peñuela, who was at once governor of the province and commandant of the presidio, bought a large consignment of goods in collusion with Martínez and Otero and in 1712 offered them to the troops at marked-up prices. By withholding the salaries of the troops, he endeavored to make them sign over 25,000 pesos of their pay to cover the cost of this merchandise.<sup>2</sup> As many of the soldiers were already in debt to him, Governor Peñuela also forced the entire garrison to sign a waiver on their salaries of ten pesos apiece. This was to cover the debts of any of their comrades who might die while still owing him for provisions. Complaining of this practice, the troops petitioned Peñuela's successor, Juan Ignacio Flores Mogollón, to cancel the power of attorney which they had previously given Captain Martínez and Otero. These, they charged, had failed to comply with their agreement to furnish their provisions

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1. Well-documented studies demonstrating the abuses in the provisioning of the troops in northern New Spain during the seventeenth and eighteenth centuries include the following: Francisco R. Almada (ed.), *Informe de Hugo de O'Connor sobre el estado de las Provincias Internas del Norte, 1771-1776* (México, 1952); Carlos E. Castañeda et al., *Our Catholic Heritage in Texas, 1519-1936* (7 vols., Austin, 1936-1958); Charles E. Chapman, *The Founding of Spanish California: The Northwestward Expansion of New Spain, 1687-1783* (New York, 1916); Charles W. Hackett (ed.), *Historical Documents Relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773* (3 vols., Washington, 1923-1937); Lawrence Kinnaid (ed.), *The Frontiers of New Spain: Nicolás de Lafora's Description, 1766-1768* (Berkeley, 1959); Alfred B. Thomas (ed.), *After Coronado: Spanish Exploration Northeast of New Mexico, 1690-1727* (Norman, 1935); Thomas (ed.), *Teodoro de Croix and the Northern Frontier of New Spain, 1776-1783* (Norman, 1941); and Donald E. Worcester (ed.), *Instructions for Governing the Interior Provinces of New Spain, 1786, by Bernardo de Gálvez* (Berkeley, 1951).

2. Soldiers of the presidio of Santa Fe, petition to the Cabildo, August 1, 1712, Spanish Archives of New Mexico, at Santa Fe (Hereinafter cited as SANM), archive 177.

at cost.<sup>3</sup> Later the same year, the Viceroy intervened with an order prohibiting the governors from withholding the salaries of the troops, applying this money to payment of their debts, or obligating them to purchase supplies they had not ordered.<sup>4</sup> Curiously, the garrison at Santa Fe petitioned the Viceroy not to apply this regulation to Governor Flores Mogollón because, they declared, he was supplying them satisfactorily with all of their needs, and they preferred that he did their buying rather than Captain Martínez or Otero. According to Captain Martínez, Governor Flores Mogollón had compelled the troops to cancel their arrangement with him and Otero. but the troops contended they had done so of their own free will. They had, they said, suffered considerable arrears from Martínez's purchases.<sup>5</sup> Reiterating this position in 1715, the troops declared that Martínez's allegations—that the troops had been under duress when they revoked their concession to Martínez and Otero and that they had suffered no indebtedness while they and Governor Peñuela were provisioning them—were both malicious and false. They maintained that they had come to owe Governor Peñuela 75,000 pesos and Otero 18,664 pesos under that arrangement and that, after deductions had been made from their salaries, they still owed the former 44,000 pesos.<sup>6</sup>

When Captain Martínez became governor *ad interim* of New Mexico in October of 1715, he immediately arrested Flores Mogollón and accused him of gross mal-administration. While these charges were being investigated, Flores Mogollón languished in prison at Mexico City for more than two years. According to Martínez, Flores Mogollón had not only charged the soldiers extravagant prices for their provisions but had also attempted to sell them the same goods they had already paid for with deductions from their salaries.<sup>7</sup> Governor Martínez himself was shortly removed from office for

3. Soldiers of the Presidio of Santa Fe, petition to the Governor Juan Ignacio Flores Mogollón, November 2, 1712, SANM, archive 183b.

4. Soldiers of the Presidio of Santa Fe, representation to the Viceroy, July 15, 1713, SANM, archive 192a.

5. *Ibid.*

6. Presidio of Santa Fe, junta proceedings, May 27, 1715, SANM, archive 219.

7. Juan de Oliván Revolledo (Auditor of New Spain) to the Viceroy, Mexico City, September 22, 1723, in Thomas (ed.), *After Coronado*, 189.

similar offenses. Among other things he was accused of owning a mercantile establishment at Santa Fe while he was in office, a flagrant violation of royal law, and of supplying the troops with provisions at marked-up prices instead of at cost, as his agreement with the troops required. His storekeeper was Juan Páez Hurtado, himself a former governor.<sup>8</sup>

Subsequently, Martínez charged that his successor, Governor Antonio Valverde y Cossio, profited in a similar manner and that he withheld the salaries of the troops to cover their debts for provisions which he furnished.<sup>9</sup> Whether or not this was true, the officers and men of the Santa Fe garrison praised the administration of Valverde. When he left office in 1722, they urged the Viceroy to instruct his successor, Juan Domingo de Bustamante, to continue Valverde's practice of discounting from their annual pay fifty pesos apiece and applying this toward the purchase of their provisions. This, they declared, prevented them from going further into debt.<sup>10</sup>

In 1724 when the Viceroy commissioned Brigadier Pedro de Rivera to inspect the presidios of the northern provinces, he specifically instructed him to investigate the supply problem. Among other things Rivera was directed to ascertain the cost of transporting provisions to each of the garrisons, to compare the prices charged the troops with those current in nearby towns, and to prevent the captains and governors from overcharging the soldiers for these supplies. This last abuse and others had reportedly been committed over the past twenty years.<sup>11</sup> Although the presidial soldiers were then paid an average of 450 pesos a year, one fourth of this amount never reached them, according to the Viceroy, for the salaries were paid in goods, and the captains, in connivance with the merchants, had been charging exorbitant prices for these provisions.<sup>12</sup> The major result of Rivera's inspection

8. Judgement in *residencia* of Governor Félix Martínez, Santa Fe, August 16, 1723, SANM, archive 322.

9. Martínez to the Viceroy [Mexico City, 1720], in Thomas (ed.), *After Coronado*, 177-187.

10. Soldiers of the Presidio of Santa Fe, petition to the Viceroy, March 15, 1722, SANM, archive 315.

11. Castañeda, *Our Catholic Heritage*, II, 216-219.

12. *Ibid.*, II, 211-214.

and report was the adoption of a new presidial code, the Reglamento of 1729. One requirement of this ordinance was that maximum-price lists be posted at each garrison with equitable rates assigned to the commodities most commonly ordered by the troops.<sup>13</sup>

The price ceilings thus established seem to have done little to protect the soldiers, at least in New Mexico. In 1760 a Franciscan missionary reported that the presidials at Santa Fe had to pay 150 pesos a year for clothing of the poorest quality and another 250 pesos for other provisions, some of which they had not ordered. They were usually charged double the current price for local produce: 3½ silver pesos instead of 2 for a *fanega* of corn, 4 for wheat instead of 2, 8 for beans instead of 4, and so on with meat, chili, and the like.<sup>14</sup> In 1760 and again in 1764 the Viceroy found it necessary to convoke juntas at Mexico City to regulate prices charged the presidials, and the general inspection of the northern garrisons made by the Marqués de Rubí from 1766 to 1768 produced an extensive file of testimony on these overcharges.<sup>15</sup> The main source of discontent among the troops, Rubí reported, was that they were paid in goods instead of in cash.<sup>16</sup>

As a result of these findings, the Viceroy ordered in 1768 that the presidials be paid in cash. In New Mexico, however, Governor Pedro Fermín de Mendinueta appealed for exemption from this requirement on the ground that there was never sufficient specie in his province to meet the pay roll, and this dispensation was granted in 1769.<sup>17</sup>

The new Reglamento of 1772, growing out of Rubí's inspection and report, brought about a major reform in the presidio supply system. Henceforth, under penalty of removal from office and denial of further employment in the royal service, the presidial captains and provincial governors were

13. *Ibid.*, II, 220, 235.

14. Fray Juan Sanz de Lezaún, "Account of the Lamentable Happenings in New Mexico," November 4, 1760, in Hackett (ed.), *Historical Documents Relating to New Mexico*, III, 468-479.

15. Chapman, *Founding of Spanish California*, 141-142.

16. Castañeda, *Our Catholic Heritage*, IV, 243.

17. Viceroy Marqués de Croix to Governor Pedro Fermín de Mendinueta, Mexico City, January 28, 1769, SANM, archive 644.

to cease managing the payment of the troops' salaries and the purchase and distribution of their provisions. These functions were now vested in *oficiales habilitados*, non-commissioned officers elected by the officers and men of their companies for three-year terms. These paymasters were empowered to buy the goods ordered by the troops at wholesale prices and to distribute them at this cost plus only 2 per cent, an amount considered sufficient to cover their expenses. After making the corresponding deductions for these purchases, the retirement pay, and rations, the paymasters were supposed to pay the troops the balance of their annual salaries in cash, half of it in January and half in July.<sup>18</sup>

Provisioning the troops through elected paymasters instead of captains or governors did not solve the problem. The non-commissioned officers who were elected were often ignorant of accounting procedures and lacking in purchasing experience. They frequently bought the provisions at artificially advanced prices, suffered serious losses in transporting them to the presidios, and, through either dishonesty or incompetence, allowed their bookkeeping records to become hopelessly out of balance. As a result, one bankruptcy followed another, leaving the troops in debt and short of food, clothing, and ammunition.<sup>19</sup> Apparently the paymasters were unable to fill all of the orders of the troops, for some soldiers bought directly from private merchants and charged the purchases against the presidial payroll. In 1780 the Comandante General at Chihuahua decreed that henceforth merchants were no longer permitted to solicit his office for payment of debts owed by soldiers who had purchased goods on their individual credit. Compensation in such transactions would be made only when there was a sufficient balance in the debtor's individual salary account.<sup>20</sup>

Beginning experimentally in 1781 and regularly in 1783,

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18. Comandante Inspector Hugo de O'Connor, *Informe, 1771-1776* (Almada, ed.), 73-76; Chapman, *Founding of Spanish California*, 142; Castañeda, *Our Catholic Heritage*, IV, 290-291.

19. Juan de Ugalde (Governor of Coahuila) to Comandante General Teodoro de Croix, Hacienda de Sardinias, March 12, 1782 (copy), Archivo General y Público de la Nación, at Mexico City, Provincias Internas, Vol. 13 (Hereinafter cited as AGN, Prov. Int., 13), folios 411-413; Thomas (ed.), *Teodoro de Croix*, 13-14.

20. Teodoro de Croix, *bando*, Arispe, May 1, 1780, SANM, archive 788.

the Comandante General abandoned the paymaster system for purchasing provisions and let regular contracts to private merchants. Each of these was assigned to one or two presidios for a period of three years.<sup>21</sup> In Nueva Vizcaya and New Mexico, while the presidial paymasters were supposed to have charged the troops 2 per cent above the wholesale prices of the provisions at Chihuahua, the new merchant contractors were allowed to charge the higher retail prices there. Under this arrangement no bankruptcies occurred, but by 1786, when the contracts were about to expire, it was evident that the salaries of the troops would not support these higher costs.<sup>22</sup> The Comandante General therefore asked the contractors to revise their rates downward, but each of them complained that he could not do so and still make a profit, and some said they were already losing money.<sup>23</sup> As a temporary solution to the problem, the Comandante General allowed the contracts to lapse and reverted to the paymaster system to tide the troops over the next year, 1787. He then entertained bids for new contracts for the succeeding years.<sup>24</sup>

The most attractive of the new offers came from Francisco de Guizarnótegui, a member of the mercantile guild of Chihuahua who had been provisioning the presidio of Carrizal and one of the patrol companies of Nueva Vizcaya under one of the three-year contracts just terminated. Guizarnótegui offered to provision all seven of the presidios of Nueva Vizcaya, the four patrol companies of that province, and the presidio of New Mexico as well for a period of five years under certain stipulated conditions.<sup>25</sup> The other merchants of the Chihuahua guild, acting jointly, countered with a bid of their own, but after revising his own proposals twice to meet this

21. Ugalde to Croix, March 12, 1782; Francisco Xavier del Campo (Corregidor), deposition, Chihuahua, September 5, 1786, AGN, Prov. Int., 13, fols. 411-413, 53-55.

22. Del Campo, deposition, September 5, 1786; Comandante Inspector Joseph de Rengel to Comandante General Joaquín Ugarte y Loyola, Chihuahua, November 11, 1786; Pedro Galindo Navarro (Auditor of Provincias Internas) to Ugarte, Chihuahua, December 2, 1786, AGN, Prov. Int., 13, fols. 53-55, 55-57, 57-59.

23. Del Campo, deposition, September 5, 1786, AGN, Prov. Int., 13, fols. 53-55.

24. Rengel to Ugarte, Chihuahua, October 3, 1786; Ugarte to Viceroy Bernardo de Gálvez, Chihuahua, October 12, 1786, AGN, Prov. Int., 13, fols. 405-406, 402-404.

25. Francisco de Guizarnótegui, propositions, Chihuahua, October 30, 1786, AGN, Prov. Int., 13, fols. 51-53.

competition,<sup>26</sup> Guizarnótegui was awarded the contract on February 17, 1787.

As this monopoly arrangement shortly came under an investigation which yielded a large file of documents on the whole supply problem, it is now possible to explore the subject in some depth. The contract itself was composed of the following ten conditions:

1) For a period of five years, dating from January 1, 1788, the contractor would fill all of the orders of the presidios and posts of Nueva Vizcaya and New Mexico for merchandise from Vera Cruz, Puebla, Jalapa, Mexico City, and Querétaro. He would charge the troops the original cost of these goods, the purchasing commission of 4 per cent (which was customarily charged by buyers at Mexico City), the freightage, losses in transit, and excise taxes.

2) He would transport this merchandise from Mexico City to Chihuahua at the old freight rate of 16 *reales* per *arroba* (two dollars per twenty-five pounds), which was 4 reales less than the rate then current.

3) He would also transport the goods from Chihuahua to the individual presidios and posts, except that of Santa Fe, at 4 reales per *arroba* below the current rate. The New Mexican garrison would receive its deliveries at Chihuahua, as had been its custom in the past, and the others could also collect theirs at the same place if they wished to employ their own mules and thus save on the freightage cost from Chihuahua to their stations.

4) In order to make his deliveries on schedule, the contractor would have to receive all of the order lists of the companies at the beginning of each year and with the endorsements of the Comandante Inspector.

5) The merchandise, on reaching Chihuahua and before departing for the presidios and posts, would have to be inspected by the contractor and the Comandante Inspector, or

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26. Cuerpo de Comercio, propositions, Chihuahua, January 10, 1787; Guizarnótegui, propositions, Chihuahua, January 27, 1787; Cuerpo de Comercio, propositions, February 3, 1787; Guizarnótegui, propositions, February 7, 1787; Cuerpo de Comercio, waiver, February 14, 1787, AGN, Prov. Int., 13, fols. 63-67, 73-75, 77-78, 90-94, 104.

their agents, and be certified by them as having met the specifications in the order lists.

6) The contractor would also provide produce from the province of Michoacán, purchasing this at Chihuahua at the lowest prices available and delivering it to the presidios and posts at that cost plus a commission of  $2\frac{1}{2}$  per cent.

7) He would deliver the Michoacán goods to the presidios and posts at 4 reales per arroba less than the current freight rate except, as indicated in the 3rd condition, that New Mexico's presidio would receive its orders at Chihuahua and that the other garrisons could receive theirs there if they so desired.

8) In order to make his purchases in time for the scheduled deliveries, the contractor would make a prudent estimate from the order lists of the costs of the goods, commissions, excise taxes, and freightage, and one year in advance of his purchases funds in the amount of the total estimate would be delivered to him by the royal treasurer at Chihuahua in warrants against the treasury at Mexico City.

9) When the merchandise was purchased and delivered at Chihuahua accompanied by the original invoices, the excise tax would be paid at the customs house there, and the total account for the year would be liquidated. The treasurer at Chihuahua would then pay the contractor or receive from him whatever was due either in case the original estimates and actual costs did not balance. The treasurer and the respective paymasters would then discount from the payroll of each presidial and patrol company the amount it owed for the merchandise received.

10) The presidios would be responsible for furnishing the contractor's mule trains with competent military escort on the roads to and from their stations—from El Pasaje onward for merchandise purchased in Vera Cruz, Jalapa, Puebla, Mexico City, and Querétaro and from Chihuahua onward for the goods of Michoacán. The contractor would request these escorts fifteen or twenty days in advance, and they would be provided without delay so as to avoid the expense of detaining the trains. If the contractor should be unable to make all of the deliveries beyond El Pasaje in a single trip, escorts



would be furnished for as many as two others.<sup>27</sup>

From almost the very beginning Guizarnótegui's operations in provisioning the presidios were embarrassed by official intervention and financial difficulties. Before the contractor was able to cash the warrants issued for his purchases, payment on them was suspended by the royal treasury at Mexico City, and the entire contract was held in abeyance pending the result of a full-scale investigation. The Comandante General, it developed, had failed to go through proper channels in letting it. During the previous year the King had reformed the administrative system for his realms, and under this new order such military and treasury matters as the provisioning of the troops were supposedly under the jurisdiction of new officials known as intendants. The Intendant of Durango should have been consulted before Guizarnótegui's contract was approved. Eventually the contract was approved, by the Viceroy on September 10, 1788, and by the King on June 8, 1789, but it was not until September of the latter year that Guizarnótegui was assured that treasury funds would be issued for his purchases.<sup>28</sup>

Meanwhile, for two and a half years, Guizarnótegui operated without either a valid contract or adequate funds and had to purchase the provisions for the troops on his own credit. In so doing he had to pay the wholesale merchants at Mexico City a premium of 9 per cent for credit extended to January, when the troops were paid, and an additional 5 per cent for what was still due thereafter. Being unwilling to absorb this loss himself, Guizarnótegui merely added it to the total bill against the troops.<sup>29</sup> The Comandante General approved this procedure for the deliveries of the first year, 1788, but he instructed Guizarnótegui that thereafter when funds were not delivered to him in advance, he should obtain his credit at 5 per cent interest by guaranteeing the salaries of the troops as his security. This Guizarnótegui did not do be-

27. Contract with Guizarnótegui, Chihuahua, February 17, 1787, AGN, Prov. Int., 13, fols. 106-111.

28. Viceroy Manuel Antonio Flores to Ugarte, Mexico City, September 10, 1788; Royal order, Aranjuez, June 8, 1789; Flores to Ugarte, Mexico City, September 20, 1789; AGN, Prov. Int., 13, fols. 166-167, 203, 204-205. The documentation on the jurisdictional dispute appears in folios 1-207.

29. Guizarnótegui to the Viceroy, Mexico City, April 16, 1789, AGN, Prov. Int., 13, fols. 181-182.

cause, as he said, the merchants at Mexico City, knowing his contract still lacked official approval, questioned the validity of such a guarantee.<sup>30</sup> He therefore continued to pay 9 per cent for the first year of his credit and an additional 5 per cent for extension beyond that term and also to charge this interest to the account of the troops.<sup>31</sup>

For the provisions of the Presidio of Santa Fe for the first year, 1788, delivered to its paymaster at Chihuahua in February,<sup>32</sup> Guizarnótegui presented a bill for 17,655 pesos and 6½ reales and received from the paymaster 13,648 pesos. This left a balance due of 4,007 pesos and 6½ reales plus an interest of 5 per cent for the extension of credit amounting to 200 pesos and 3 reales. According to Guizarnótegui's accounting, therefore, the presidio still owed him 4,208 pesos and 1½ reales:

Cost of merchandise purchased in Jalapa, Puebla, Mexico City, and Querétaro .....				13,357 pesos, 2½ reales
Purchasing commission (4%) ....	534	"	2¼	"
Premium for credit for one year (9%) .....	1,202	"	1¼	"
Freightage (437 arrobas and 21½ pounds at 18 reales per arroba) .....	985	"	1	"
Cost of merchandise from Michoacán purchased at Chihuahua .....	1,576	"	7¾	"
Total .....	17,655	"	6½	"
Less payment on account, February 19, 1788, .....	13,648			
Balance due .....	4,007	"	6½	"
Premium for extended credit (5%) ..	200	"	3	"
Balance due January 1, 1789 .....	4,208	"	1½	"

Since the amount paid in February was well over the price of the goods from Jalapa, Puebla, Mexico City and Querétaro (13,357 pesos), and since this merchandise was purchased on

30. Justo Pastor de Madariaga (Guizarnótegui's agent) to Ugarte, Chihuahua, [July, 1789], AGN, Prov. Int., 13 fols. 245-269.

31. Presidio of Santa Fe, account against Guizarnótegui for supplies furnished in 1788, 1789, and 1790, Santa Fe, July 8, 1790, SANM, archive 1084a.

32. Presidio of Santa Fe, resumé of invoice received from Guizarnótegui on February 19, 1788, in *ibid.*

credit in October of 1787, the interest of 9 per cent should not have run for an entire year but only for four months, until February, when the paymaster received the goods and paid the contractor. Therefore, when the Presidial Company of Santa Fe audited the account, it claimed a reduction of 801 pesos and  $2\frac{5}{6}$  reales from the bill, as interest unjustly charged for two-thirds of a year. By the same token, it claimed an additional 40 pesos and  $\frac{1}{2}$  real as the corresponding overcharge for interest on the amount due after the first of the year. Moreover, since the contract stipulated a freight rate of 16 reales per arroba and Guizarnótegui had charged 18 reales, the presidio claimed an overcharge of 109 pesos and  $3\frac{3}{4}$  reales on this item. And finally, Guizarnótegui had charged the troops 500 pesos for 5,000 loaves of brown sugar from Michoacán, at the rate of ten loaves to the peso, while on the same occasion he had sold the same commodity to José Ortiz, a merchant of Santa Fe, at the rate of 18 to the peso. Therefore, the presidio claimed, a further reduction from its bill of 222 pesos and 2 reales was in order. Altogether its claims against Guizarnótegui's bill for the year amounted to 1,173 pesos and  $1\frac{1}{12}$  reales.<sup>33</sup>

For the second year, 1789, Guizarnótegui presented the New Mexican garrison with a higher and even more questionable bill:<sup>34</sup>

Cost of merchandise purchased in Jalapa, Puebla, Mexico City, and Querétaro .....				14,166 pesos, $3\frac{1}{8}$ reales
Purchasing commission (4%) ....	566	"	5	"
Premium for credit for one year (9%) .....	1,325	"	$7\frac{3}{4}$	"
Freightage (547 arrobas and 11 pounds at 16 reales per arroba) .....	1,094	"	7	"
				17,153 pesos, $6\frac{7}{8}$ reales
Cost of merchandise from Michoacán purchased at Chihuahua .....				1,737 " $6\frac{3}{4}$ "
Total .....				18,891 pesos, $5\frac{5}{8}$ reales

33. Presidio of Santa Fe, notations to same, in *ibid.*

34. Presidio of Santa Fe, resumé of invoice received from Guizarnótegui on February 3, 1789, in *ibid.*

When these deliveries were made at Chihuahua in February, 1789, the paymaster of Santa Fe provided reimbursement in the amount of 16,300 pesos and  $2\frac{3}{4}$  real, leaving a balance of 2,591 pesos and  $2\frac{7}{8}$  reales due. The paymaster then made out a promissory note to Guizarnótegui for 2,656 pesos and  $\frac{7}{8}$  real to cover this and the interest due on the balance.<sup>35</sup>

After auditing this bill the Santa Fe company took several exceptions to it. The premium of 9 per cent for credit had been charged not only on the original cost of the goods in the interior cities but also on the purchasing commission as well, which had not been the case in the bill of the previous year. The presidio thus claimed 47 pesos and 3 reales for the overcharge. Further, as in the previous bill, this interest was charged for an entire year whereas the purchases had been made on October 31, 1788, and the reimbursement on February 3, 1789. Therein lay an overcharge of 949 pesos and  $1\frac{7}{12}$  real. Likewise the interest on what was still due should have been reduced by 47 pesos and 4 reales. Finally, in comparing the prices Guizarnótegui charged the presidio for Michoacán goods with what he had charged Ortiz and another merchant of Santa Fe, José Rafael Sarracino, the troops claimed another 234 pesos and  $7\frac{3}{4}$  reales. In all, these claims for the year amounted to 1,279 pesos and  $\frac{1}{3}$  real.<sup>36</sup>

For 1790, the third year of the contract, Guizarnótegui's bill, for some reason, did not include freightage on the merchandise purchased in the interior or the cost of the goods from Michoacán.<sup>37</sup>

Cost of merchandise purchased in Jalapa, Puebla, Mexico City, and Querétaro .....				13,010 pesos, $2\frac{1}{2}$ reales
Purchasing commission (4%) ....				520 " $3\frac{1}{4}$ "
				<hr/>
				13,530 " $5\frac{3}{4}$ "
Less amount issued in advance of purchases .....				5,943 " $4\frac{1}{2}$ "
				<hr/>
Balance due .....				7,587 " $1\frac{1}{4}$ "

35. *Ibid.*

36. Presidio of Santa Fe, notations to same, in *ibid.*

37. Presidio of Santa Fe, resumé of invoice received from Guizarnótegui on February 10, 1790, in *ibid.*

Premium for credit for one year (9%) .....	682   "   6½   "
Total .....	8,269 pesos, 7¾ reales

The bill for the Michoacán goods was apparently made out separately, but when Guizarnótegui presented the above at Chihuahua, he received 5,171 pesos and 7¼ reales, leaving a balance due on January 1, 1791, of 3,098 pesos and ½ real. To this was to be added 154 pesos and 7½ reales as the 5 per cent interest for the extension of credit on the new balance.

Once again the presidio challenged Guizarnótegui's charge of 9 per cent interest on the purchasing commission in addition to the original cost of the goods, claiming for this item a reduction of 46 pesos and 6 ⅔ reales. And again it sought to reduce the period of this interest from a full year to less than four months, since the credit ran only from October 14, 1789, to February 10, 1790. For this latter the claim amounted to 242 pesos and ¾ real, and for the corresponding overcharge on the 5 per cent premium, 12 pesos and ⅝ real. The presidio also challenged the purchasing commission for goods bought at Puebla, since this was covered by that paid in Mexico City, and also the freightage from Puebla to Mexico City, which had not been charged in previous years. These claims amounted to 134 pesos and 5¾ reales. A comparison of Guizarnótegui's prices on worsted goods bought at Querétaro and blankets at Puebla justified a further claim of 148 pesos and 3½ reales. The total amount of the bill for Michoacán goods does not appear either in this billing or in the presidio's claims, but the latter, by comparing Guizarnótegui's prices with those at which the Chihuahua merchants Francisco Elguea and Savino de la Pedrueza sold them to Ortiz and Sarracino of Santa Fe, itemized overcharges totaling 59 pesos and 4¾ reales for brown sugar loaves and soap from that province. Thus, for 1790 the claims amounted to 643 pesos and 5¾ reales.<sup>38</sup>

The total claims for the three years, which the presidio filed against Guizarnótegui on July 8, 1790, amounted to 3,095

38. Presidio of Santa Fe, notations to same, in *ibid.*

pesos and 7  $\frac{1}{6}$  reales, or approximately 6 per cent of the total bill for that period. Nor was this the full extent of the contractor's grief. There were the claims of the seven presidios and four patrol posts of Nueva Vizcaya. And even before the garrisons audited their bills, the Comandante Inspector and his agents at Chihuahua were scrutinizing Guizarnótegui's deliveries.

Only minor adjustments had to be made in the deliveries of 1788, but in the following year complications set in. Guizarnótegui's mule trains from the interior arrived at Chihuahua just as the military escorts from Carrizal, San Elizario, and Santa Fe were preparing to return to their posts. This left no time for an inspection of the goods at Chihuahua for those presidios and so these packages were not opened or properly inspected until they were out of the contractor's hands and beyond the scrutiny of the Comandante Inspector's agents.<sup>39</sup> The best the Comandante General could do was to call upon the paymasters of these three presidios to send back to Chihuahua at a later date samples of the goods thus received. On the basis of these samples the quality, quantity, and pricing of the original deliveries were then reviewed by three merchants: one representing the interests of the presidios, one those of the contractor, and the third acting as referee when disputes arose.<sup>40</sup> Guizarnótegui complained that it was improper to judge the yardage goods he had delivered from remnants submitted by the presidios, for there was no guarantee that they were taken from the material actually delivered and also because a remnant of a piece of dry goods might be cut from the end of a bolt and thus be inferior in quality to the whole piece.<sup>41</sup> Nevertheless, the inspection continued under these circumstances. Samples of Guizarnótegui's deliveries were compared with similar merchandise in the shops at Chihuahua, and the corresponding invoices were checked for price variation. In some instances the goods delivered by Guizarnótegui could not be matched with those in the local

39. Ayudante Inspector Diego de Borica to Ugarte, Chihuahua, February 17, 1789, AGN, Prov. Int., 13, fol. 212.

40. Ugarte, decree, Chihuahua, May 18, 1789, AGN, Prov. Int., 13, fols. 234-235.

41. Guizarnótegui to Borica [Mexico City, January, 1790], AGN, Prov. Int., 13, fol. 307.

shops, but where comparisons were possible, it was found that Guizarnótegui had overcharged the troops on twenty categories of yardage goods.<sup>42</sup>

Of greater concern was the matter of the 9 per cent premium which Guizarnótegui had added to the bill to cover the purchases he had to make on credit. Although he had no authorization from his contract to charge the troops for this credit, Guizarnótegui was hardly liable for this burden himself, for it had arisen only from the failure of the treasury officers to fulfill their obligation to supply him with adequate funds a full year in advance of his scheduled deliveries. Since both parties had failed to comply strictly with their contractual obligations, and since the contract itself was not legally binding until September, 1789, the whole question of this liability was left to the decision of the Comandante General. Finally on April 7, 1790, a ruling was handed down from that quarter:

Guizarnótegui would be compensated for the premium of 9 per cent only for the purchases he made on credit between July 1 and December 31, 1787; that is, for the merchandise he delivered early in 1788. For his purchases between January 1, 1788, and December 31, 1789, which were delivered early in 1789 and 1790, he was entitled to only 5 per cent for his credit. And for 1791 and 1792, the remaining two years of his contract (now that it was fully in force), he was prohibited from charging any interest at all, even when funds were not supplied a full year in advance, as long as he should receive this money in ample time to make his deliveries on schedule. This, the Comandante General declared, was the true spirit of the 8th condition of the contract. As for the claims against Guizarnótegui in the liquidation of his accounts for the first three years of the contract, these would be determined by the merchants already appointed by himself and the Comandante Inspector as agents and referee.<sup>43</sup>

At this point, April 7, 1790, the file of documents accumulated during the investigation ends. There is nothing there of

42. Diego de Borica, Joseph Antonio de Iribarren (representing Guizarnótegui), and Manuel Ruiz (representing the troops), *Estado de Precios*, Chihuahua, March 17, 1790, AGN, Prov. Int., 13, fol. 319.

43. Ugarte, decree, Chihuahua, April 7, 1790, AGN, Prov. Int., 13, fol. 380.

later date to indicate how this ruling affected Guizarnótegui. However, from the presidial records at Santa Fe, it is apparent that Guizarnótegui did not continue as the contractor for the remainder of his five-year term. In acknowledging receipt of the New Mexican presidio's claims against Guizarnótegui for the first three years, the Comandante General in July, 1790, referred to him as the "former contractor."<sup>44</sup> Then, three months later, he distributed to the presidios copies of a new contract which had just been drawn up at Chihuahua.<sup>45</sup>

In this new arrangement not one but nine merchants, all members of the mercantile guild of Chihuahua, undertook to supply the presidios for the single year 1791. The stipulations of this were so much less generous to the troops than those in Guizarnótegui's contract that it might well be presumed that the former contractor had cancelled his service on his own free will and that the Comandante General had been forced to seek other, less advantageous, arrangements because of the press of time. At any rate the contract for 1791 provided that the nine merchants would supply the troops with whatever merchandise of prime necessity from Castile, Puebla, Mexico City, and Querétaro that they carried in their stores; that they would furnish these at original cost plus 6 per cent; that the troops had to assume the 9 per cent premium whenever purchases had to be made on credit, the 4 per cent commission charged by purchasing agents at Mexico City, the excise taxes, and the packing expenses; that the merchants would bear the losses incurred in transit, but that the troops would have to provide escorts for the trains from the interior beyond El Pasaje and as far as Chihuahua; that the contractors would supply the troops with the produce of Michoacán at 8 per cent above what they had to pay for it at Chihuahua; that the troops would have to furnish the contractors with purchasing funds in warrants issued at Chihuahua and cashable at Mexico City; and that the deliveries of the provisions to

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44. Governor Fernando de la Concha to Ugarte, Santa Fe, July 12, 1790; Comandante General Pedro de Nava to De la Concha, Chihuahua, July 26, 1790, SANM, archives 1085a, 1137.

45. Contract with Pedro Ramos de Vereá, Joseph Antonio de Iribarren, Diego Ventura Márquez, Ventura Do-Porto, Savino Diego de la Pedruesa, Francisco Manuel de Elguea, Andrés Manuel Martínez, Pablo de Ochoa, and Pedro Yrigoyen (certified copy), Chihuahua, October 18, 1790, SANM, archive 1120.



the paymasters would be made at Chihuahua rather than at the individual presidios.<sup>46</sup>

The records of the Presidio of Santa Fe do not indicate how this arrangement worked out for the year 1791 or how the garrison was provisioned thereafter. Some conclusions on the presidio supply problem in general, however, can be drawn from the rather full records of the investigation of Guizarnótegui's contract and its antecedents.

In the first place, it is abundantly evident that the authorities were sincerely concerned with the welfare of the presidial soldiers during the eighteenth century, and that it was with their interests in mind rather than with those of the royal treasury or of the economy of the provinces that the supply system was reformed several times. After centralizing all purchases in the presidial captains and provincial governors, the higher authorities established price-ceilings on the provisions, through the Reglamento of 1729. When this measure failed to provision the troops adequately, fairly, and economically, they promulgated the Reglamento of 1772, which turned the purchases over to elected paymasters. Then, as these non-commissioned officers failed to provide goods cheaply enough for the troops without incurring bankruptcy, the government, beginning in 1781, let contracts to private merchants, each supplying one or two presidios. These contracts failed to satisfy either the troops or the merchants themselves, and so after reverting to the paymaster system for one year, 1787, the authorities let a monopoly contract for the several presidios and posts of Nueva Vizcaya and New Mexico to a single merchant for the years 1788 through 1792. This arrangement also proved unsatisfactory to both parties, and in 1790, as we have seen, it was terminated, and a new monopoly was let for 1791 to a group of nine merchants. Each of these reforms was a conscientious attack on the problem even though all seem to have failed somewhat in their ultimate purpose.

The Guizarnótegui contract broke down for a number of reasons. First, owing to a purely jurisdictional dispute, the contract was not fully in force for the first two and a half

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46. *Ibid.*

years. Second, because of this, the eighth condition of the contract (guaranteeing the contractor adequate purchasing funds a year in advance), was not fulfilled. Third, as the contractor was forced to purchase on credit, a dispute arose over interest rates. Finally, the Comandante General's ruling on this question and on the advancement of funds was a violation of the letter, if not the spirit, of the contract. The contractor himself was not blameless in this controversy, however, for his invoices for Santa Fe's presidio show not only shoddy accounting but also apparent intent to defraud. Not only did Guizarnótegui attempt to charge interest for an entire year when he was reimbursed after only four months, but he also attempted to charge it on his purchasing commission as well as on the cost of the purchases themselves. Some of his prices were out of line with those current at the same place and time, and this was especially true of the produce of Michoacán. According to his contract, he was supposed to purchase these goods at Chihuahua at the lowest prices available. In fact, however, he bought a large number of these items from his own store there and at prices well above what other local merchants were charging.<sup>47</sup>

Another significant conclusion may be drawn from analyzing Guizarnótegui's invoices. The itemization of merchandise delivered shows that the supplies ordered were not primarily for the military equipment of the soldiers but rather for the civilian clothing of their families. The invoice for New Mexico's presidio in 1789 illustrates this point. The total bill of goods from Jalapa, Puebla, Mexico City, and Querétaro for that year (excluding packing costs, fees, commissions, taxes, interest, and freightage) amounted to 14,029 pesos. Of this 6,391 pesos (45.5% of the whole) went for dry goods bought by the yard or whole piece; 2,862 pesos (20.5%) for clothing (mostly feminine); 2,739 pesos (19.5%) for blankets and other bedding; 1,214 (8.5%) for miscellaneous goods; 540 pesos (4.0%) for hardware; and only 283 pesos (2.0%) for saddlery and other military equipment. Of the goods from Michoacán, amounting to 1,737 pesos, 545 pesos (31.5%)

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47. Presidio of Santa Fe, notations to invoice received February 10, 1790, SANM, archive 1084a.

went for soap; 470 pesos (27.0%) for brown sugar; and 366 pesos (21.0%) for refined sugar. This left only 356 pesos (20.5%) for miscellaneous goods including those of military utility.<sup>48</sup> Arms and ammunition were customarily purchased by the paymasters directly from the warehouses maintained by the royal treasury while horses, mules, fodder, and most of the foodstuffs were bought from the neighboring farms and ranches.<sup>49</sup> Therefore, the merchant contracts seem to have had little bearing on the military equipment of the presidial forces. In providing the clothing and household needs of their families, however, they were vital to troop morale.

Finally, it may properly be assumed that the several reforms during the eighteenth century brought about some improvement in the welfare of presidial troops and their families. Their extreme poverty, a matter of frequent complaint in earlier years, seems to have been somewhat mitigated by 1789, judging by the luxuries included in their orders for that year. Imported fabrics (silk, British and Flemish linen, French velvet, Rouen, Pontevy, Holland cloth, Cambaya, and English baize) came to 3,345 pesos or almost 24% of the total bill.<sup>50</sup> If the salaries of the troops were still inadequate to cover their expenses, it was due in no small part to their own conspicuous consumption.

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48. Guizarnótegui, invoice for the Presidio of Santa Fe, Mexico City, October 31, 1788, AGN, Prov. Int., 13, fols. 272-274; Presidio of Santa Fe, resumé of and notations to invoice received from Guizarnótegui on February 3, 1789, SANM, archive 1084a.

49. Pedro Galindo Navarro (Auditor of Provincias Internas) to Ugarte, Chihuahua, February 13, 1787, AGN, Prov. Int., 13, fols. 94-102.

50. Guizarnótegui, invoice for the Presidio of Santa Fe, Mexico City, October 31, 1788, AGN, Prov. Int. 13, fols. 272-274.

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# FRANK BOND: GENTLEMAN SHEEPHERDER OF NORTHERN NEW MEXICO, 1883-1915

By FRANK H. GRUBBS

## *Bond & Weist*

AS G. W. Bond & Bro., Wagon Mound, entered its seventh year of business, the advantages of running large flocks of sheep in the area to the southeast were becoming apparent. This rolling plateau area in San Miguel and Leonard Wood Counties drained into the Canadian River on the east and the Pecos on the west, providing an abundance of good water and excellent grazing.<sup>1</sup> The Bonds had already acquired the Trujillo, Mogote, Vermejo, and Esteros ranches, and not long thereafter they had followed this up by purchasing almost 63,000 acres of the Preston Beck Grant plus the Atencio and La Posta ranches east of Cabra.<sup>2</sup>

As the population of *partidarios* swelled, and as the number of independent flockmasters in this vast country increased, there emerged a distinct requirement for a mercantile store in that area, not only to supply their wants but also to provide better supervision of the sheep investment and to establish a local operating base from which to buy wool. Up to that time, Las Vegas, Wagon Mound, and Springer had enjoyed much of the trade from the east central section of the state, but the Chicago, Rock Island, and Pacific Railroad was approaching the area from the east, and the El Paso and Northeastern was coming in from the south. Unless something were done a significant part of that trade would certainly be lost. A new branch was the obvious solution, and so in the fall of 1899<sup>3</sup> a new G. W. Bond & Bro. store

1. *Copy Book No. 635*, January 27, 1909, p. 487 (in the files of Bond & Wiest, Cuervo, New Mexico). Source material at Cuervo cited hereafter as Holbrook Papers.

2. *Copy Book*, March 7, 1913, Holbrook Papers, *loc. cit.*

3. The earliest account in the first ledger is dated August, 1899, and the first appearance of Cabra Springs on the G. W. Bond & Bro. letterhead is dated January 1, 1900.



MACARTHUR COMPANY, WAGON MOUND



was opened at Cabra, New Mexico, in San Miguel County just twenty-two miles north of Santa Rosa.<sup>4</sup>

The reason that Cabra was chosen is obscure, but it was a stop on the Pony Express,<sup>5</sup> and considering the Bond's emphasis on efficient mail communication and the necessity for rapid transmission of information between their widely separated stores, it would seem to have been a logical choice. Some weight was also most certainly given to the possibility that the railroad would actually come through Cabra and bring to fruition their plans for exploiting the opportunities thus provided. Their subsequent move to Cuervo when the railroad bypassed Cabra seems to confirm this as a consideration in their choice of Cabra as a store location.

The new business was financed by \$10,000 from the Wagon Mound store,<sup>6</sup> so the parties interested directly in this expansion were the Wagon Mound partners, George and Frank Bond. However, in 1899 Archie MacArthur was receiving 5 per cent of the Wagon Mound profits, so his interest in the Cabra store is not to be discounted.

It appears that the first manager of this store was A. H. Long who was later to be associated with the Bonds in the Rosa Mercantile Company.<sup>7</sup> While it later became the general policy upon the opening of a new store to give the manager a sizable share of the business, this was not done at Cabra as, indeed, it had not been done at Wagon Mound.

Very little is known of the Cabra business operation, but by the summer of 1900 George Bond had decided to make a change at Cabra and replace Long with Andrew W. Wiest who was willing to take the managership for one-half the profits.<sup>8</sup> An account for Andy Wiest first appears in the ledger on September 5, 1900, and so it would seem that the change

4. U. S., Department of the Interior, General Land Office, *Map of Territory of New Mexico*. 1" = 12 mi., 1903. Bond's writings refer variously to "Cabra," and "Cabra Springs." It has also been observed as "Cobra Springs" in some published material, but the form, "Cabra," used here appears on the map cited and is considered authoritative.

5. Interview with J. S. Holbrook, Cuervo, New Mexico, March 1, 1958.

6. *Records, loc. cit.*

7. This has not been absolutely substantiated, but examination of the meager correspondence points strongly to this conclusion. The Rosa Mercantile Co. is discussed *infra*, chap. xii.

8. Letter of G. W. Bond to Frank Bond, June 13, 1900, Bond Papers, *loc. cit.*

was promptly made. At the end of that year, the Cabra store owed the Wagon Mound store just over \$14,000.<sup>9</sup>

With the advent of Andy Wiest in 1900 as an equal partner with the Bonds, the firm name was changed from G. W. Bond & Bro. to Bond & Wiest, the name it has borne now for fifty-eight years. Wiest's share in the business was without any investment of his own, but by the end of 1901, his first full year at the helm, Wiest had \$3,045.41 in the business which represented his share of the profits.<sup>10</sup> The first financial picture of Bond & Wiest that can be reconstructed today is presented in Table 30.

TABLE 30  
BOND & WIEST BALANCE SHEET  
January 10, 1902

<i>Resources</i>	
Book Accounts .....	\$ 4,859.00
Notes .....	294.84
Sheep on hand .....	2,524.59
Wool .....	9,824.90
Cattle .....	8.00
Cash .....	210.90
Merchandise .....	6,575.39
Total .....	<u>\$24,297.62</u>
<i>Liabilities</i>	
Due Sundry Persons .....	\$ 343.93
Due G. W. Bond & Bro. ....	17,844.88
Due A. W. Wiest, profits .....	3,045.41
Due G. W. Bond & Bro., profits .....	3,045.42
Undivided profits .....	17.98
Total .....	<u>\$24,297.62</u>

The last firm evidence of the store at Cabra is an invoice dated September 10, 1901.<sup>11</sup> At some time between this date and the end of 1903, the Bond & Wiest store was moved to Cuervo, New Mexico, a small community about fifteen miles east of Santa Rosa.<sup>12</sup> However, there is evidence to indicate that the move actually took place in 1902.

9. *Records, loc. cit.*

10. *Ibid.*

11. *Copy Book*, September 10, 1901, p. 185, Holbrook Papers, *loc. cit.*

12. The "Old Observer," in describing a visit to the Bond & Wiest store, refers to its location in "Cuervito." He also referred, erroneously, to Wiest as "Mr. Frank Wiest." "The Old Observer in New Mexico," *The American Shepherd's Bulletin*, XI, No. 6 (June, 1906), 525 (49).



The move to Cuervo was almost certainly motivated by the arrival of the railroad which came not through Cabra but through Tucumcari, Cuervo, and Santa Rosa.<sup>13</sup> The Bonds were not alone in quickly realizing the advantages to be gained by establishing themselves in a competitive transportation position, for the Charles Ilfeld Company made a coincident move in 1904 and established a branch in Santa Rosa.<sup>14</sup>

The Cuervo store was first opened in temporary quarters,<sup>15</sup> building construction was begun, and the Cabra store was closed permanently. The new store building was completed in 1903, and before the year was out the floor space had to be more than doubled by building a warehouse. This brought the building investment to \$4,827.51 at the end of December.<sup>16</sup>

The profit-sharing arrangement between the Bonds and Andy Wiest was undisturbed until 1904 when the Bond & Wiest Corporation was formed with George W. Bond as president, Frank Bond as vice-president, and Andrew W. Wiest as secretary and treasurer.<sup>17</sup> "Having incorporated this new company for the purpose of handling their business as a corporation rather than as a firm,"<sup>18</sup> the new corporation bought the assets of the old firm of G. W. Bond & Bro. by giving 12,501 shares of stock to Frank Bond, 12,500 to G. W. Bond, and 24,999 shares to A. W. Wiest.<sup>19</sup> There were a total of 50,000 shares issued.

13. Interview with J. S. Holbrook.

Belying the present appearance of Cuervo, the prospects and hopes at that time for expansion of the community are evident from a reference in a letter written by Andy Wiest in which he referred to the "Gross-Kelly Addition to the Town of Cuervo." *Copy Book No. 635*, p. 352, Holbrook Papers, *loc. cit.*

The railroad actually arrived in Santa Rosa on Christmas Day in 1901. Interview with C. H. Stearns, Albuquerque, April 12, 1958.

14. *Copy Book No. 71*, August 7, 1902, p. 43 and August 12, 1902, p. 116, in the Charles Ilfeld Business Collection (University of New Mexico Library, Albuquerque), cited by William J. Parish, unpublished MS, chap. xi, p. 29.

15. Interview with J. S. Holbrook.

16. *Records, loc. cit.*; Letter of G. W. Bond to Franklin Bond, September 2, 1903, Bond Papers, *loc. cit.* George always addressed his brother as "Franklin," both orally and in correspondence. He was the only one given this privilege.

17. Minutes of First Stockholders' Meeting, April 21, 1904, Holbrook Papers, *loc. cit.* Note also that the A. MacArthur Company, Wagon Mound, was organized as a corporation just two months later in the same year. *Supra*, chap. iv.

18. Minutes of Special Meeting, April 21, 1904, Holbrook Papers, *loc. cit.*

19. *Ibid.*

This division of the stock gave the Bonds a one-share control of the company. At the time of incorporation, the Bonds had an interest in the business of just under \$14,000, including undivided profits, and Wiest's comparable interest amounted to slightly more than \$10,000.<sup>20</sup> The additional \$15,000 needed by Wiest and the extra \$11,000 needed by the Bonds to take up their respective stock was placed on the Bond & Wiest books as a receivable. These sums were carried by the business until 1906 when accumulated profits of \$19,200 were divided and offset against these accounts to reduce the loans to the stockholders. In 1908 additional accumulated profits of \$27,000 were divided, thus finally enabling Wiest as well as the Bonds to liquidate all debts to the company.

Until it was finally possible to get rid of the capital dilution that had been introduced at the time of the incorporation, nothing was realized by any of the participants in the form of profit distribution. Wiest simply drew a store manager's salary of \$75 per month beginning in 1904 which was raised to \$100 in 1905 and to \$125 in 1907.<sup>21</sup>

The above corporate structure stood until 1906 when Joe Holbrook, Jr., became a stockholder. Holbrook was a native of Philadelphia whose father operated an Indian commissary in Cimarron. He had been a sheepherder for a number of years and then operated a meat market in Wagon Mound before joining the Bonds at Cabra where he bought sheep, worked in the store, and ran the post office.<sup>22</sup> The first positive evidence of his presence is contained in his personal account which was opened in December, 1901,<sup>23</sup> although one historian dates his arrival several years earlier.<sup>24</sup> His rise, however, in the Bond organization began in 1906 when Andy Wiest transferred 1,600 shares of stock to him.<sup>25</sup>

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20. *Records, loc. cit.*

21. Minutes of Board of Directors' Meeting, April 21, 1904, Holbrook Papers, *loc. cit.*; *ibid.*, March 6, 1905; *ibid.*, March 4, 1907.

22. Interview with J. S. Holbrook; Davis, *op. cit.*, p. 1631.

23. Ledger, p. 513, Holbrook Papers, *loc. cit.*

24. Davis (*loc. cit.*) writes that Holbrook went to "Capos [sic] Springs" in 1895 and bought sheep for G. W. Bond & Bro. The Bonds were probably buying and renting sheep in the Cabra area that early even though the store was not opened until 1899, but the dates and sequence of events in Davis' biography are self-contradictory.

25. Minutes of Board of Directors' Meeting, March 3, 1913, Holbrook Papers, *loc. cit.*

Andy Wiest's services to the Cuervo store began to be divided when Archie MacArthur was stricken at Wagon Mound in 1911 and Wiest began to manage both stores simultaneously. This gave Holbrook the opportunity to prove his mettle during Wiest's increasingly frequent absences, and in 1912 he was given deserved recognition by being appointed assistant general manager, although it is probable that by this time Wiest was in Wagon Mound so much of the time that Holbrook was for all practical purposes in complete charge of the Cuervo operation. His services in this capacity were apparently well appreciated for at the end of the year George Bond sent him a bonus of an undisclosed but apparently substantial amount—an action without precedent in the Bond system.<sup>26</sup>

In 1913, Andy Wiest transferred 2,000 more shares of stock to Holbrook just before a profit distribution.<sup>27</sup> The nature of the conditions under which Wiest transferred his holdings to Holbrook from time to time are undisclosed,<sup>28</sup> but it was probably a private agreement inasmuch as Wiest and Holbrook were double brothers-in-law, each having married the other's sister.<sup>29</sup>

By 1912 George Bond was living in Idaho and from a practical viewpoint his functioning as president was greatly diminished. He was for this reason dropped from the Board of Directors,<sup>30</sup> and Frank Bond became president, Andy Wiest was elected vice-president and Holbrook was named secretary, treasurer, and general manager.<sup>31</sup> The following year George and Frank Bond each transferred 1,000 shares of stock to Holbrook,<sup>32</sup> and so at the end of 1915 the stockholdings stood as shown in Table 31.

26. *Copy Book*, January 20, 1913, Holbrook Papers, *loc. cit.*

27. Minutes of Board of Directors' Meeting, March 3, 1913, Holbrook Papers, *loc. cit.*

28. The stockholders' record of April 4, 1910, shows that 24,999 shares were jointly owned by Wiest and Holbrook. It was not until 1913 that a correction, retroactive to 1906, was made showing Holbrook as owner of any shares in his own right. *Ibid.*

29. Interviews with J. E. Davenport, J. S. Holbrook, and C. H. Stearns. To further complicate the family relationships, Holbrook's sister, Emma, married Manuel Paltenghe at Wagon Mound. *Ibid.*

30. *Records*, *loc. cit.*

31. Minutes of Stockholders' Meeting, August 13, 1914, Holbrook Papers, *loc. cit.*

32. Minutes of Board of Directors' Meeting, April 10, 1915, Holbrook Papers, *loc. cit.*

TABLE 31  
STOCKHOLDERS, BOND & WIEST, 1915

Name	Shares
G. W. Bond .....	11,500
Frank Bond .....	11,501
A. W. Wiest .....	21,399
J. Holbrook, Jr. ....	5,600
Total	<u>50,000</u>

Throughout the period ending with the close of 1915, merchandise not only represented the heaviest single investment of Bond & Wiest but also accounted for the largest single item of profit. The division point on the railroad was located just a few miles southwest, and the area was prosperous. Cuervo was enjoying a period of expansion; there appears to have been no serious competition in the merchandise field; and the store was piled high with calico, flour, and all the traditional inventory of a country store. The trade customarily bought supplies for as long as an entire year at a time, a heavy inventory of goods was needed to supply their wants, and wholesale purchases of 10,000 pounds of beans or 20,000 pounds of potatoes were not uncommon.<sup>33</sup> The year end investments and gross profits on merchandise for the period through 1915 are shown in Table 32.

Sales data for only a few years are available, but they indicate a rapid rise from \$44,230.32 in 1905 to a peak of almost \$96,000 in 1908.<sup>34</sup> By 1912 they had dropped to less than \$61,000, but in 1915 they were back up to about \$79,000. It was not unusual for more than half the sales to be on credit, and as a result the accounts receivable carried by Bond & Wiest were a sizable item. They are shown in Table 33. These book accounts were regarded as being ninety per cent good, which was a conservative estimate. In fact, the actual loss was less than 4 per cent in 1912.<sup>35</sup>

The merchandise business was closely associated with the railroad, and in the early years Cuervo was a regular stop. Not only was this an asset by way of widening the marketing

33. *Copy Book*, October 12, 1904, p. 135, Holbrook Papers, *loc. cit.*

34. *Copy Book*, February 11, 1906, p. 553, Holbrook Papers, *loc. cit.*; *Records*, *loc. cit.*

35. *Ibid.*

TABLE 32  
 MERCHANDISE INVENTORY  
 AND GROSS PROFIT ON MERCHANDISE  
 BOND & WIEST  
 (dollars in thousands)

Year	Inventory	Profit
1903	\$ 8.1	\$. . .
1904	12.2	. . .
1905	12.9	6.9
1906	14.4	. . .
1907	26.4	11.5
1908	25.1	10.3
1909	25.6	. . .
1910	24.5	. . .
1911	20.3	. . .
1912	18.9	3.8
1913	17.8	4.1
1914	17.5	4.4
1915	18.5	9.4

TABLE 33  
 BOND & WIEST BOOK ACCOUNTS<sup>a</sup>  
 (dollars in thousands)

Year	Amount
1903 .....	\$ 8.7
1904 .....	9.8
1905 .....	13.4
1906 .....	15.1
1907 .....	17.2
1908 .....	11.8
1909 .....	6.5
1910 .....	8.7
1911 .....	8.5
1912 .....	16.6
1913 .....	13.3
1914 .....	17.2
1915 .....	21.3

area but also it sharpened the price competition. In 1905 Wiest wrote:

a. The very existence of these credit sales and book accounts lends a puzzling aspect to Frank Bond's comment to George in 1911 that there was no credit business in Cuervo. *Letter Book No. 6*, July 8, 1911.

Profits do not show up as well as last year, yet we sold more goods, our sales were 37412.00 dollars, accounting for this is that there is too much strive [sic] for the trade that is tributary to the Rock Island, to hold or get the trade prices have to be figured very close, we believe we are getting our share.<sup>36</sup>

The regular train service to Cuervo was discontinued by the end of 1904,<sup>37</sup> but it continued to be a flag stop and as such provided adequate facilities to the Bonds for mail and merchandise service. However, after December 1, 1910, the trains no longer stopped there at all,<sup>38</sup> and the slow strangulation of Cuervo began. This must have been a source of keen disappointment for railroad accessibility had indeed been the desideratum when the decision to locate in Cuervo was made nine years previously. Certainly the effect on the merchandise trade is obvious, for after 1910 it began a steady decline. A number of efforts were made to regain the railroad stop but without avail. In fact, while mail service did continue on a drop-and-pick-up basis, it finally deteriorated to an intolerable point, and the trains would roar through town leaving the pouches on the pick-up arms.<sup>39</sup>

Sheep and wool at Cuervo were, of course, the important activities not only because their combined profits were sizable but also because they were unaffected by the discontinuance of passenger train service in 1910. In the first year of business Bond & Wiest shipped 300,000 pounds of wool, and their wool purchases for the first half of 1904 amounted to 125,000 pounds.<sup>40</sup> The Tucumcari Wool Scouring Mills were located not too far away,<sup>41</sup> and doubtless some of the Bond & Wiest

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36. Letter of A. W. Wiest to Frank Bond, February 11, 1905, Bond Papers, *loc. cit.* Wiest seems to have had an aversion to the use of periods and upper case letters. The substitution of commas for sentence periods and failure to capitalize first words makes his correspondence particularly difficult to read. The Bonds, incidentally, did this occasionally also, but to a much lesser degree. Their contemporaries do not now recall any particular reason for it.

37. *Copy Book*, January 24, 1905, p. 260, Holbrook Papers, *loc. cit.*

38. *Ibid.*, December 23, 1910.

39. *Copy Book*, *passim*, Holbrook Papers, *loc. cit.*

40. *Ibid.*, January 2, 1905, p. 289; *ibid.*, July 27, 1904, p. 40.

41. *Ibid.*, June 22, 1905, p. 362; *ibid.*, n.d., p. 388. The Tucumcari Wool Scouring Company was incorporated in 1904 for \$25,000 by E. J. Huling (*infra*, chap. viii), M. C. Mechman, and Solomon Floersheim. It had a capacity of 16,000 pounds of wool per day. *The American Shepherd's Bulletin*, IX, No. 6 (June, 1904), 698 (82).

wools were shipped there although Brown and Adams in Boston were the largest buyers and for many years enjoyed practically all of the Cuervo business.<sup>42</sup> The hold that Brown and Adams had on the wools in that area was a source of some annoyance to Holbrook who, after a visit by Mr. Adams, was led to remark that Adams thought he had a cinch on the Cuervo wools "but I will be D [sic] if we consign to him until we know he has us cornered."<sup>43</sup> Later, of course, much of the wool business was shifted to Hallowell, Jones, & Donald as all the Bond business began to drift away from Brown and Adams.<sup>44</sup>

At one time the Bonds had up to 30,000 head of sheep on the grant lands north of Cuervo,<sup>45</sup> but the Bond & Wiest sheep were of a lesser order. In 1908 Bond & Wiest had 10,000 sheep on the Beck Grant, paying one cent per head per month rent for grazing,<sup>46</sup> but in response to an inquiry Wiest wrote:

We know of no other land this side of the Pecos River where 5,000 head of sheep could be grazed, all available land is being taken up very rapidly by the homesteaders, this means that the sheep business in this section will soon be a thing of the past.<sup>47</sup>

However, at the end of 1915, Bond & Wiest still had slightly more than 11,000 sheep, of which 8,800 were on rent.<sup>48</sup>

Pertinent investment and profit data on sheep and wool are shown in Table 34.

A small but lively business was conducted at Cuervo in hides, pelts, and cattle. Handling of hides and pelts seems to have begun in 1903 and continued without much change through 1915. Wiest mentions having over 2,000 pounds of

42. *Letter Book No. 58*, June 11, 1915, p. 460.

43. *Copy Book*, July 10, 1913, Holbrook Papers, *loc. cit.*

44. *Letter Book No. 58*, June 11, 1915, p. 460.

45. *Copy Book*, July 7, 1904, p. 9, Holbrook Papers, *loc. cit.*

46. *Copy Book No. 635*, January 27, 1909, p. 487, Holbrook Papers, *loc. cit.* Wiest frequently called it the "Cabra Grant."

The rental contract on the grant with J. D. Hand expired in June, 1906, and the grant was sold in 1907 to A. A. Jones, so it appears that Bond & Wiest were paying Jones in 1908 for running sheep on the grant. *Copy Book*, February 10, 1906, p. 550, Holbrook Papers, *loc. cit.*; *supra*, pp. 80-81; interview with Harry R. Roberson, Albuquerque, April 12, 1958.

47. *Ibid.*

48. *Records*, *loc. cit.*

pelts and some goat skins on hand as early as 1904,<sup>49</sup> and the following year Wiest arranged with the G. W. Bond & Bro. Mercantile Company in Encino to send their hides to Cuervo for shipment.<sup>50</sup> Wiest handled the hides without charge and Encino thus gained a freight rate advantage by shipping from Cuervo.<sup>51</sup> In addition, combining their shipments enabled them to confine their shipping to carload lots and thus take a further freight rate advantage.<sup>52</sup> Wiest pursued this with some vigor and worked with C. H. Stearns in Santa Rosa in the same way.<sup>53</sup> Year end investments in hides generally were in the modest range of two to three hundred dollars although at the end of 1906 over \$1,000 worth were on hand. The profit realized was likewise modest, averaging about \$500 a year with the exception of 1905 which doubled that.<sup>54</sup>

TABLE 34  
BOND & WIEST SHEEP AND WOOL  
(dollars in thousands)

Year	Year-end Sheep Investment	Profit on Sheep	Profit on Wool
1903	\$ 0.0	\$. . .	\$. . .
1904	2.3	. . .	. . .
1905	2.2	2.8	1.2
1906	8.1	. . .	. . .
1907	2.6	3.4	2.2
1908	11.1	.0	.0
1909	17.7	. . .	. . .
1910	15.2	. . .	. . .
1911	10.3	. . .	. . .
1912	12.4	3.1	3.2
1913	20.1	5.9	1.4
1914	20.8	5.0	1.6
1915	38.1	8.4	1.1

49. *Copy Book*, July 23, 1904, p. 33; Holbrook Papers, *loc. cit.*

50. *Ibid.*, n.d., p. 544.

51. *Ibid.*

52. *Copy Book No. 635*, May 9, 1907, p. 216, Holbrook Papers, *loc. cit.*

53. *Ibid.* Stearns operated a general store in Santa Rosa and frequently ran sheep with Wiest. He recalls selling hides and pelts with Wiest also but had Vorenberg come down from Wagon Mound to sort and price them first. Interview with C. H. Stearns.

54. *Records*, *loc. cit.*



Cattle holdings were sporadic, being insignificant most of the time. However, there were over \$2,000 worth of cattle in 1909 and slightly less in 1910. At the end of 1915, Bond & Wiest had 157 head of cattle costing almost \$6,000.<sup>55</sup> Profits on the sale of cattle were insignificant.

Book accounts were carried by Bond & Wiest in amounts ranging to \$17,000, with the balance at the end of 1915 being slightly more than \$21,000. However, cash balances were adequate at all times, accounts being maintained in both the Santa Rosa bank and in the bank at El Paso, Texas, up through 1912.

Overall profits show that the Cuervo branch was a good investment, total net profits of the business being as shown in Table 35.

TABLE 35  
BOND & WIEST NET PROFITS  
(dollars in thousands)

Year	Amount
1904 .....	\$ 7.0
1905 .....	12.2
1906 .....	8.3
1907 .....	18.7
1908 .....	13.3
1909 .....	12.2
1910 .....	5.6
1911 .....	5.3
1912 .....	11.8
1913 .....	13.9
1914 .....	14.4
1915 .....	16.7

Notwithstanding the obviously profitable business at Cuervo, there was early talk of selling out.<sup>56</sup> This first suggestion in 1911 by Wiest was probably sparked by a sudden necessity for him to spend a great deal of time at Wagon Mound for prior to that time the general economic outlook in that area had not been at all dismal. In fact, there had been talk of expansion some years earlier when it was rumored that the Bonds were putting in a business at Moriarty<sup>57</sup> and

55. *Ibid.*

56. *Letter Book No. 6*, July 8, 1911.

57. They never did.

that Gross-Kelly was moving into Willard.<sup>58</sup> It was shortly thereafter that Charles Ilfeld inquired about renting the store building at Cabra,<sup>59</sup> probably with the thought of opening a store. Bond refused.

Even at the same time that Andy Wiest was suggesting that the Cuervo store be sold, a new industry was invading Cuervo. The amole plant was being cut, dried in the sun for sixty days, then shipped east for use in the manufacture of rope.<sup>60</sup> Wiest did some trading in it; he bought the dried plant for seven dollars a ton and sold it for eight dollars.<sup>61</sup>

The subject of selling out at Cuervo was dropped for the time being, but Joe Holbrook brought it up again in 1915. Frank Bond had no particular objection to selling if Holbrook wanted to, but he didn't believe that Holbrook was really serious, feeling that the Cuervo store would continue to pay as well as the other stores.<sup>62</sup> Holbrook was by this time discouraged at the declining sheep and wool prospects. Bond was sympathetic but noted that despite having exerted every effort to retain enough ewes in the country to provide flock increases, the number of sheep was nevertheless dwindling.<sup>63</sup> Harry Kelly went so far as to say that within a short time there would be no ewes at all in San Miguel County.<sup>64</sup>

These thoughts were a part of the gloom of the times in an area which had now started toward the eventual loss of its major industries, but Bond and Wiest were both satisfied with the showing there,<sup>65</sup> and Wiest wanted Holbrook at Wagon Mound which may have been contributory to his wanting to sell.<sup>66</sup> However, Holbrook continued to run the store, run sheep, buy and sell wool, and all the myriad activities devolving upon a Bond manager. Like Frank Bond at Es-

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58. *Copy Book*, July 11, 1904, p. 11, Holbrook Papers, *loc. cit.*

59. *Ibid.*, August 30, 1904, p. 87.

60. *Letter Book No. 6*, July 8, 1911.

61. *Ibid.* The amole plant has detergent properties and its rootstock is normally used as a substitute for soap. Wiest mentions "rope," however. At the same time he stated his distrust of dry farmers and said that he would pay them only after the cars were actually loaded.

62. *Letter Book No. 59*, August 11, 1915, p. 384.

63. *Ibid.*

64. *Ibid.*

65. *Letter Book No. 56*, January 19, 1915, p. 533.

66. *Letter Book No. 6*, January 20, 1914.

panola and like Andy Wiest before him at Cuervo, Holbrook was active on the District School Board and attended, for instance, to such miscellaneous matters as trying to get Don Grabiell [sic] Chavez' son pardoned from the state penitentiary.<sup>67</sup> He acted as agent for Henry Posha of German Valley, Illinois, who owned one of the grants,<sup>68</sup> and found a buyer for two ranches that George Bond owned on the east side of the Beck Grant.<sup>69</sup> A. H. Long continued to own property in Cuervo,<sup>70</sup> and Joe Holbrook, Jr., doubtless looked after that property also. His son, J. S. Holbrook, is still in Cuervo and operates the business today.

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67. *Copy Book*, October 18, 1904, p. 152, Holbrook Papers, *loc. cit.*; *ibid.*, July 19, 1911; *ibid.*, August 21, 1912.

68. *Ibid.*, March 5, 1913.

69. *Ibid.*, March 7, 1913.

70. *Ibid.*, November 14, 1912. Long had married the daughter of W. R. Lott who had property holdings in Cuervo also. Interview with H. R. Roberson.

## Book Reviews

*The Jews of California from the Discovery of Gold until 1880.*

By Rudolf Glanz, New York, 1960, with the help of the Southern California Jewish Historical Society. Pp. viii, 188.

An introductory chapter, dealing in broad sweeps, whets the appetite of the reader to the expectation of consuming a serious, analytical study—an analysis that never quite materializes. What does come forth is a factually packed volume derived from meticulous combing of primary and other sound sources. Even so, it is weakened by the repetitiousness of similar fact, much of which could have been avoided by a more balanced grouping of imaginative topics. The last eleven of the book's fifteen chapters, comprising but one-third of the pages, but embracing important and promising subjects, suggest the opportunities that were available to the author.

The heavy concentration of Jews in San Francisco with the flower of their mercantile interests dominating smaller economic communities, including Los Angeles, is recognized frequently by the author but is not developed as a thesis. The permanent residence of these people is a matter of occasional comment. Yet what would seem to follow, a major contribution to the cultural life of the communities, is seldom approached with a positive flavor.

If, in spite of the introductory chapter, the author had meant to limit his objective to a simple descriptive but factually accurate story, the book could be read much less critically. It would have been helpful in any case, however, if a preface setting forth these limits of treatment had been written, and if an index and bibliography had been constructed.

It is evident that Dr. Glanz has uncovered, for this study, adequate factual material which, if coupled with his known rich background in Jewish cultural history, should have produced a more expansive and significant analysis of Jewish contributions to the early development of California.

University of New Mexico

WM. J. PARISH

*Indians, Infants and Infantry: Andrew and Elizabeth Burt on the Frontier.* By Merrill J. Mattes. Denver: The Old West Publishing Company, 1960. Preface, end-plate maps, illustrations, index. Pp. 304. \$5.95.

By and large, the last frontier was a man's frontier. The fur trapper, the miner and the cowboy found it so, and until the "sodbuster" brought in his family to till the land women were mighty scarce articles. The ordinary soldier, in his grim, louse-infested barracks, was aware of this ugly truth. He knew that "rank has its privileges," one of which was that of the officers to bring their wives and children to the lonely outposts that stood forlornly against the western backdrop. Occasionally these frontierswomen sought to escape from the tedium of army post life by keeping journals in which they noted the things that interested them. Elizabeth Burt, wife of career officer Andrew Burt, was one of them, and through her eyes we see another side of army life.

The diaries kept by Elizabeth Burt have been lost, but a good deal of the information they contained went into a reminiscence she wrote in 1912. The important thing about this writing is that it was done with the diaries before her, setting it apart from many other frontier recollections that depend upon memory. Her manuscript, "An Army Wife's Forty Years in the Service," covered most of her fifty-three year marriage to Burt, but of particular interest to historians of the plains West is the fact that over half of it dealt with the crucial years 1866-1876.

Elizabeth Burt's story not only supplements a good deal of the information already known to historians, but it adds to that side of western life of which so little has been written: the woman's view, family life. Merrill Mattes has done a great deal with his materials at hand, carefully supplementing the document with lengthy explanatory discourses that fill any gaps and make the whole fabric not only good reading but entirely useful as a contribution to western history.

Through this intelligent and observant woman's eyes, one follows the family to Fort Kearny, Nebraska, in the critical year, 1866, and on to Fort Bridger in southwestern Wyo-

ming, followed closely by an assignment to Fort C. F. Smith, on the southern Montana segment of the Bozeman Trail. Here the Burts moved into Red Cloud's country at a time when that famous road was under siege by the Sioux, and Fort Smith, so little known in history, comes to life at the hands of an army wife who not only followed her husband to this distant outpost but took along a small baby. This is the heart of the book, the zenith of Mrs. Burt's military experience, and its words are a bonanza to both historian and lay reader. There is an excellent account of leaving the Fort when the Bozeman Trail posts were given up by the army in 1868.

From 1874 to 1876 the Burts were at Fort Laramie, again finding themselves in the center of events that led to the climax at the Little Big Horn in the latter year. One does not find here the usual portrayal of these significant military actions, but instead the richness of experience related by one who waited nearby, saw the coming and going of the troops, and watched anxiously for word from the front. Mrs. Burt might be said to have been sitting in the bleachers, but it takes nothing away from the excitement of events transpiring on the field of action. Her story well complements the many published stories of what happened on the field of battle. No major work about the days of the Indian fighting army will be written now without reference to this valuable contribution Merrill Mattes has provided.

University of Colorado

ROBERT G. ATHEARN

*Victoriano Huerta: A Reappraisal.* William L. Sherman and Richard E. Greenleaf. Mexico, D. F.: *Imprenta Aldina*, 1960. Distributed by The Mexico City College Press. Pp. 164.

For two reasons, this reviewer has approached this book with what may be something less than an objective state of mind. One reason is that, in his opinion, on a list of Latin American historical figures for whom biographies are "long overdue," Victoriano Huerta should be comfortably entrenched, preferably buried, near or at the bottom. He might

be worth a footnote by way of reinstatement of character; he could conceivably be stretched to article-length treatment by dint of painstaking research and careful presentation. In book-length treatment, this reviewer finds his career insufferably dull, his mind a vacuum, his physical courage a far too common and misdirected quality to be interesting, and his family life approximating that of a Mexican Babbitt.

Secondly, the reviewer holds an aversion toward published works resting heavily upon secondary sources. Such works oblige one to wade through masses of material already (and recently) in print in English in order to grasp the "new contribution" presumably embedded in this reworked ore, whether in the form of "new-fact" nuggets or in what purports to be reinterpretation. He regrets to report that after reading this book both his prejudices have been deepened.

The fault with this work is not in the way in which it is written. The authors demonstrate considerable skill in synthesizing; their quotations are often well chosen and are revealing cameos of Mexico during the Revolution. The fault lies rather in the reasoning of the authors as to why Huerta should be reappraised, the readers to whom such reappraisal should be addressed, and the proper limitations of the reappraisal given the use of limited sources.

Huerta has been maliciously defamed by propagandists of the Mexico Revolution, whose outpourings have been uncritically absorbed (the false Huerta is far more interesting than the real one) by semipopular writers in the United States. The authors of this work feel that the scholarly world should be informed that Huerta was, after all, human. He was not a drunkard for he held his liquor well; he did not take dope or indulge in sexual orgies. This reviewer makes the assumption that only the casual reader of textbook level status is in need of this reminder. The book, however, carries the baggage of footnotes, conventional historical style, and bibliography—the appendages but not the content (due to lack of depth in research)—of genuine scholarship. It thereby has been misconceived for it is neither popular nor scholarly.

As to the limitations of their work, the authors proceed

to pass judgment on far more serious matters than Huerta's character—a task for which the amount of research done ill equips them to do. The question of the exact relationship of a man to an event as profound and complex as the Mexican Revolution is a matter requiring the most detailed study. It is, in short, assessing the role of the political leader within the context of multiple impersonal forces. Given the several forces of discontent unleashed by 1910, no leader could command a peaceful, progressive Mexico until other impersonal forces came to his aid. The authors seem to think differently. Despite references to Charles Cumberland's work (*Mexican Revolution: Genesis Under Madero*, Austin, 1952), they adopt a pre-Cumberland view of Madero, selecting for citation quotations concerning Madero's personal shortcomings, and justifying the coup of 1913 against him on the grounds that the administration was, after all, weak, and that the most powerful elements of society were agitating for a change. They conclude that it is "more or less certain that his administration would not have remained in power for a full term, regardless of Victoriano Huerta" (p. 73). In other words, Madero simply could not maintain peace and order and at the same time satisfy discontented elements. Concerning the conservative coup of 1913 (where the authors omit mentioning that Huerta made no convincing efforts to assault the *Ciudadela* and used reinforcements on useless military objectives), the picture presented by the authors is one of a much-needed restorer of peace and order who has become, by some miraculous metamorphosis, a social reformer desirous of advancing the land reform program if Mexican discontents and Woodrow Wilson would only let him alone.

This thesis is supported by extremely thin evidence. As to Huerta's success in restoring law and order, the authors do observe that revolts by Carranza and Zapata were never suppressed. They use, however, a comment by the American diplomat's wife, Mrs. O'Shaughnessy (p. 110), to support the contention that elsewhere brigandage and small-scale revolts had been put down. It seems unlikely that Mrs. O'Shaughnessy, or any other person residing in Mexico City, could know this by other than hearsay. The fact that Huerta,



previously innocent of ideas, stated that he would create a Ministry of Agriculture devoted in part to land distribution (p. 109) does not make him a social reformer. The authors fail to observe that Huerta's conservative support rested exactly on the supposition that he would not carry out a program of this kind. It is, furthermore, illogical to contend that Huerta would have been able to restore peace and would have advanced the Revolution if revolts had stopped and Wilson's intervention had been withdrawn, and, at the same time, to contend that the reason Madero could *not* do these things was because he was weak and could not maintain control, thus justifying a coup against him. Actually both Madero and Huerta were trying unsuccessfully to ride the wild horse of Revolution. Both failed. If Madero had the advantage of non-intervention by the United States, Huerta had the advantage of conservative support; but neither of these advantages could offset the rising tide of the Revolution. The personalities of the respective leaders had very little to do with the course of events.

Despite a tendency toward many short sentences in succession which create, at times, a monotonous effect, this book is written in crisp prose embellished by a number of well-turned phrases. There are, however, a few non sequiturs and occasional vaguenesses. In a summation of pre-revolutionary discontent including strikes, examples of subversive literature, and Madero's political activities, the authors conclude: "The government suddenly realized that the mild little agitator, Madero, had created a monster which eyed hungrily the National Palace in Mexico City" (p. 20). The reader has hardly been prepared for this sweeping evaluation of Madero's influence. The meaning of the statement that "Huerta's seizure of power was little more than a *fait accompli* . . ." (the remainder of the sentence deals with another thought) leaves this reviewer completely mystified.

The book is cleanly edited with scrupulous accuracy in the accentuation of Spanish words; apotheistic (p. 45), however, does not appear in the dictionary. There are one or two misplaced relative pronouns and a dependent clause (p. 12) is set aside by a semicolon as though it were independent.

Sources are occasionally cited uncritically. Aside from the question of historical importance, Huerta did not die poor simply because Samuel F. Bemis "states flatly" (p. 115) that it is so. He probably did die poor, but Professor Bemis stands at a respectable distance from intimate knowledge of this matter. There remains the fact that the great bulk of this book simply recounts what has already appeared in English. This reviewer is not enlightened to reread Howard Cline's (*The United States and Mexico*, Cambridge, 1953) educated sneers at Wilsonian idealism in paraphrased form in the last chapter. There are citations of several Masters' theses written at Mexico City College. Their content, however, has apparently not been utilized; the footnotes merely announce their existence.

Except for the reappraisal of Huerta's character, which might have been done in one-tenth the space, this work merely rearranges the topsoil of the Mexican Revolution in an unconvincing pattern. The authors have embarked upon a course without the necessary ballast.

University of New Mexico

TROY S. FLOYD

*The Gila Trail: The Texas Argonauts and the California Gold Rush.* By Benjamin Butler Harris. Edited and annotated by Richard H. Dillon. (American Exploration and Travel Series, Volume 31.) Norman: University of Oklahoma Press, 1960. Pp. ix, 175. Map, illustrations, notes, appendix, bibliographical note and index. \$4.00.

The editor contends that Benjamin Butler Harris's reminiscence of his experience on the Gila Trail and in the California gold fields is worthy of publication on the basis of interest, color, readability, and new information added to the meager knowledge available concerning the experiences of gold seekers over the Gila route. The editor is correct in his contention. Harris, a practicing attorney, was well educated, an intelligent observer, a humorist worthy of note and a writer of ability. His account is well worth the attention of readers who desire to be entertained as well as those who seek historical information.

Harris left Panola County, Texas, on March 25, 1849, to join the party of Isaac H. Duval who was in charge of one of the earliest groups from Texas to travel to the California gold fields. The party journeyed to El Paso and then looped southward across northern Chihuahua before passing through Tucson, Yuma and Tejon to complete their journey at Sonora on September 29, 1849.

The carefully prepared editorial notes generally complement the narrative; however, two important points should be clarified. Harris tells (114-119) an interesting and an amusing account of acquiring a turpentine topknot while sleeping under a resinous pine tree. The pound ball of turpentine clung annoyingly to his hair for days because he could not find scissors to cut it away. "Then bowie and pocket knives were tried but their rough edges proved too tedious and painful (114)." He even moved to another camp before he found a pair of scissors.

The editor should have recognized this as a good story and nothing more. On the frontier, a man's life could depend on a sharp knife and in an environment where it was not unknown for an individual to amputate one of his own limbs, it is hard to conceive of Harris being squeamish about having someone cut a ball of pine tar out of his hair with a knife.

Harris says (103), "A peculiarity of the atmosphere at this season was its magnifying properties under certain conditions and situations." The editor states (note 113), "Perhaps this will explain (even excuse) the tendency of Californians . . . to exaggerate." The editor is naive in not recognizing exaggeration to be a more fundamental characteristic than something induced by a peculiarity of the atmosphere and is lax in not pointing out specific instances of exaggeration.

That Chief Gómez (110) had two thousand warriors is certainly an overstatement. The footnote (4) implies that this number may have been two hundred, but it is not clear. A war party of four hundred Apaches (67, 69) was possible. The editor should have questioned (79, note 72) that "More than once [Tucson] has been invested by from one to two thousand Indians . . ."

The editors Foreword and Dramatis Personæ might have been more carefully presented. The statement that the "Sooners" of the California Gold Rush (ix) were Texans should have been more substantially supported. This contention is contradicted by the statement (3) that "Their companions on the trail were simple, restless and rootless men from all corners and strata of North America." The reader is left to wonder if they became Texans by simply passing through Texas. The statement that Harris's companions were simple, restless or rootless is contradicted by the editor's admission (14) that little is known about the rest of the Duval party.

"At this, I laid from my belt by two duelling pistols . . ." (107) should read my instead of by. Damned (29, note 4) should be dammed since it refers to impounding a body of water rather than dooming to everlasting punishment.  
Albuquerque, N. M. VICTOR WESTPHALL

*End of Track.* By James H. Kyner as told to Hawthorne Daniel. Lincoln: University of Nebraska Press, 1960. Pp. 280. Notes. \$1.60.

The University of Nebraska Press, launching a new series of paper bound volumes called Bison Books, has wisely chosen to reprint this autobiography, originally issued in 1937 by the Caxton Printers. The present edition, well made, sets an excellent physical standard for the volumes to come. The book itself is absorbing reading. It begins with Kyner's youth as the son of a village innkeeper in Ohio, depicting an attractive kind of rural life now long vanished from America. His idyllic situation was shattered by the Civil War, in which he served as a young volunteer. His account of how he fought and was wounded in the Battle of Shiloh vividly shows just what must have happened to many a simple rural lad in the early clashes of the conflict. After the war Kyner farmed, was in the insurance business and eventually won a seat in the Nebraska legislature, where for four years he so successfully blocked anti-railroad legislation that the Union Pacific abruptly, unexpectedly rewarded him with a contract to build a twenty-five mile branch line within the state. He had

no experience or capital, but managed to execute the task successfully and make a profit of \$10,000. He went on to build or refurbish many miles of track in Idaho, Colorado, Wyoming, Iowa and Ohio. Bankrupted in the panic of 1893, he started again with nothing and made enough to retire from railroading in 1901 with a comfortable fortune.

Kyner's account of his experiences as a railroad contractor is unique; there is no comparable document. He relates the exciting things, the tribulations and the general techniques in pages interesting for the general reader but frustrating to the specialist eager for the details which only such an expert as he could have supplied. In sweeping strokes he depicts the era when railroads pioneered through the unsettled west, when men of pragmatic enterprise achieved great works and secured large fortunes. Most of the areas where Kyner built were sparsely populated, lawless and in many ways uncivilized. As serious history, this autobiography of a railroad frontiersman is much better in setting the general scene than giving the details; as interesting reading, it is superior.

University of Idaho

WILLIAM S. GREEVER

*The Maxwell Land Grant.* By Jim Berry Pearson. Norman: University of Oklahoma Press, 1961. Pp. xiv, 305. \$5.00.

The many histories of the famous Maxwell Land Grant have usually stressed the way in which Carlos Beaubien and Guadalupe Miranda, its original recipients, managed to acquire such a huge two million acre tract from Governor Armijo in 1843. Then they treat the lordly manner in which Lucien B. Maxwell, who became the Grant's owner for a time, lived on his vast estate and dispensed lavish frontier hospitality to all comers. After Maxwell agreed to sell the property in 1869 to a syndicate of Colorado and British promoters backed by Dutch capital, the Grant's history is usually depicted as a saga of sophisticated financial chicanery practiced by the Maxwell Land Grant and Railroad Company as they promoted fraudulent stock sales abroad and exploited the company property at home. This robber-baron, big-

business aspect of the Grant's history has been reinforced by many colorful accounts of the violent and often tragic war between settlers who felt the Grant was public domain and the Company who insisted—sometimes at gunpoint—that it was not.

All these standard items and many more appear in Dr. Jim Berry Pearson's fact-studded and often entertaining book. But this study is far more than a rehash of a familiar story. Intrigued by placer mining scars on the side of Baldy Mountain and curious about the few remaining buildings of the once prosperous mining community of Elizabethtown, the author at first sought to uncover the mining history of Colfax County. But this search led him into a study of the Maxwell Company itself since it owned the region and many of its enterprises centered on mining. What has emerged is an unusually detailed history of the Company from its beginnings down to the present decade, in essence a study of large-scale corporate endeavor on the frontier. Dr. Pearson's fresh version is all the more valuable since he had access to the Company records which have been lying undisturbed in the vault of the First National Bank of Raton for some years. Consisting of account books, minutes of meetings, annual reports, scrapbooks and letters, these sources—supplemented by local newspapers—enabled Dr. Pearson to make a thorough economic case study of the Company somewhat on the order of Herbert O. Brayer's monumental history of William Blackmore's western enterprises. *The Maxwell Land Grant* also represents another sure step in the direction of recovering New Mexico's past economic history, a task in which Dean William J. Parish, Max Moorhead, and Brayer have already pioneered.

Dr. Pearson's account is far from a straight business history, however, for he provides a readable but intelligent summary of Lucien Maxwell's career, a history of the brief-lived but roaring community of Elizabethtown, and a detailed rendition of the deadly activities of gunmen like "Wall" Henderson and Clay Allison, as well as of crusaders like the rambunctious Reverend O. P. McMains. Nevertheless his chief contributions lie in a coverage of mining and Company

history. He establishes the importance of mining in fostering the Grant's development even though the gold extracted seldom paid large sums. Quite the reverse, the cost of mining it often bankrupted its investors. At the same time he uses facts and figures to cut the legendary stories about the Aztec and Montezuma mines down to size. In discussing the Company's other wide-ranging enterprises on the Grant—a coal and coke company, irrigation projects, a cement factory, ranching and railroad building—he finds that these efforts also met with relatively limited success.

Such failures are explained in large part by the unending struggle lasting to 1887, to secure valid title to the Grant, to eject squatters, and to find capital. But the real cause of failure lay in the Company itself which was torn by warring factions among the directors, feuds between the British promoters and the Dutch mortgage holders, and a lack of understanding between the local managers of the property and its absentee owners. And lastly, the presence of speculators who periodically raided the Company's assets resulted in a crushing bonded indebtedness and receivership. The author finds this struggle continuing right into the twentieth century until the Amsterdam bondholders finally assumed full control of the property.

By carefully avoiding moral judgments and by the use of a historical perspective which O. P. McMains and his anti-Grant settlers could never have acquired, Dr. Pearson is able to conclude his study on a somewhat positive note:

Despite . . . constant dissension the land grant company initiated projects for developing the area's resources. Its officials sought to bring in railroads, mined and marketed coal, operated a cement factory, constructed two expensive irrigation projects, experimented with various crops, mined gold and silver, ran herds of cattle, leased rich stands of timber, and sold off the property in both large and small tracts.

*The Maxwell Land Grant* is so generally thorough and objective in its coverage that only one major omission deserves comment. Every observer in nineteenth century New Mexico noted that little could be done in the territory with-

out the sanction or collaboration of the clique of lawyers and businessmen called the Santa Fe Ring. Yet the role of the Ring in Colfax County politics and in the Company's history is never made clear in this book. If the relations of Probate Judge Dr. R. H. Longwill, Attorney M. W. Mills, and Frank Springer with the Ring could be spelled out, the real reason for attaching Colfax County to Taos during Governor Axtell's administration might be less obscure than it appears here. It rather looks as if the Company managers were fighting Tom Catron and the Ring just then and the attachment was a legal method to embarrass or even seize the Company. The role of Judge L. B. Prince and several others in rendering certain favorable decisions for the Company is not treated; and finally, the reason for choosing W. T. Thornton, law partner to Catron, as receiver for the Company in 1880 might have been explored. Such inclusions would have given better focus to the Grant's role in New Mexican political history.

On the level of minor criticism this reviewer unhappily found several instances of poor proof reading. Dr. R. H. Longwill, or so spelled in Twitchell, becomes Longwell in this volume. Melvin W. Mills also appears as Marvin W. Mills, while Wilson Waddingham is on one occasion "Waddington" and George M. Pullman is "George H." These errors and the fact that the University of Oklahoma Press omitted pages 99 to 115 in this reviewer's copy mar a clear, readable, thoroughly researched and documented history of the Maxwell Land Grant, its owners, enterprises, and opponents. The book is well illustrated with many photographs of Grant figures and scenes.

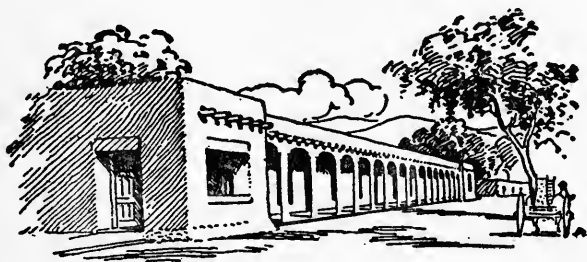
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HOWARD R. LAMAR



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FRANCE V. SCHOLES		ELEANOR B. ADAMS
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PAUL "FLYING EAGLE" GOODBEAR

# NEW MEXICO HISTORICAL REVIEW

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## PAUL "FLYING EAGLE" GOODBEAR

*By* LUELLA THORNBURGH \*

ON June 26, 1954, in a hospital in Chicago, a full-blood Cheyenne Indian artist and writer passed away, leaving his widow and two children, three and five years old—alone to review his successes. His family was in Thoreau, New Mexico, at the time, waiting for the arrival of husband and father. His death cut off the fine works of Paul "Flying Eagle" Goodbear, a descendant of Warring Cheyennes during the 1850's through the year 1878. Paul Goodbear was the grandson of Chief Turkey Legs, the great great grandson of Chief Whirlwind and the great grandson of Chief Starr of Oklahoma.

His contribution to New Mexico history came with the restoration of prehistoric murals at Coronado Monument Museum near Bernalillo, and the techniques he used were akin to those of the Greeks and Italian masters. In this work, he was necessarily forced to paint on fresh plaster. His patience and understanding of his duty as a contractor for the job as well as his fidelity to his own style of painting is amazing, and the finished product is preserved for future generations.

Paul Goodbear was born near Fay, Oklahoma, where Cheyennes lived on disconnected farms instead of banded together. He was a gentle young man, always ready to interpret the old stories of the tribe; however, he did know that Turkey Legs was in the battle of the Big Horn—the one at which Custer and his men fell and died. An unidentified newspaper write-up of Paul "Flying Eagle" Goodbear quotes much from

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\* P.O. Box 36, Sandoval, N. M.

the World Book about the ancestors of Paul. The Cheyennes "became the most skillful and daring riders of the Plains. . . . They have always been a strong, brave people who held women in high regard."

In this atmosphere of tribal stories, Paul learned the dances, then became interested in expressing the movement and color of the living figures of the ceremonial participants. Furthermore, he became an educator of Indians of all tribes and injected his personality into manuscripts written about them.

Paul's mother was a bead worker and skilled in her art, and here again is background for his gentility and understanding of all peoples. He married a Choctaw, described as "small and vivacious," who was also interested in the teachings of the antecedents on both sides. On occasion, Mrs. Goodbear reminded her husband in a fond manner that while his people were roaming the plains, her people were being called one of the "Five Civilized Tribes . . ." and had begun to adopt log houses for abodes. She is a graduate of Southeast State College at Durant, Oklahoma, and her influence on her husband's short-lived future was tremendous.

World War II took Paul away from his dancing, his paintings, his writing and in general threw him again into the life of a "Warring Cheyenne." He was wounded twice in the Normandy Landing and in the Battle of the Bulge. Officially, his name of "Flying Eagle"—an Indian tag—was given to him after his return from his services with the United States. Not having enough to give to his country, he went to Japan as a staff artist with three American daily newspapers and a comic strip was born, entitled "Chief Ugh." Deep rooted humor poured from his pen. This proves the kinship of the pioneer and the living Indian tribe which, if founded in time, could have averted wars, costly to man and beast alike.

A painting of Cheyenne Buffalo Dancer, full of action and graceful lines was sold at the Capper Crippled Childrens art auction in \_\_\_\_\_ in the year \_\_\_\_\_. Paul, at this time, had already exhibited at the Metropolitan in New York, at the Syracuse Museum of Fine Arts at Philbrook Museum and in the Santa Fe Art Gallery. Another painting, Cheyenne





DRAWING BY PAUL GOODBEAR



War Dance, was also donated by Paul "Flying Eagle" Goodbear for private sale, with the proceeds designated for the crippled children's fund.

While contributing to art collections in New Mexico (paintings by Goodbear can be seen at the Hilton Hotel in Albuquerque), he had his heart in the education of the Indian tribes, and made some good comparisons on the methods of teaching in public schools of tribal Indians and teachings in white schools. His sense of competition was quite cast aside in favor of his sense of consideration for fellow man and obedience to human rights. This is why he championed, always, the Indian artist's right to retain his own expression and reflect his heritage.

Paul Goodbear's children live with their mother who still teaches in Indian Schools—Indian Mission Schools—and speaks of Paul with great respect and admiration for his works, the ones his untimely death left undone. She is remarried, and her two children are living the happy, educational life they embarked upon. The history of Paul Goodbear's contribution to New Mexico history should be recorded, for it was in the state of New Mexico where he left most of his estate, that of his paintings and the new generation he launched.

#### CHEYENNE SUN DANCE

*By* PAUL FLYING EAGLE GOODBEAR

It was early morning and the camp was already wide awake. This was the fourth day of preparation and the sun dance was about to begin. The Cheyennes came out of their teepees to watch for the parade of the clans. It was the clans duty to secure the poles for the sun lodge and they would soon be coming. Then came a shout from the far side of the camp—Some one had spied them approaching on horseback.

The dog soldier clan came to a halt. It was at the edge of the huge camp. They regrouped into a formation of four abreast, much like soldiers on parade. Indeed, some of them were old warriors. They had paraded like this many times

before. In olden days they had gone on the war path. They started slowly around the outer side of the camp. First came the old war chiefs all decked out in war bonnets. They wore breach cloths of bright colors, white beaded moccasins, and some had made willow wreath necklaces for their ponies. Scalps hung from lances that the proud chiefs had taken in battle. They were indeed a proud lot. Behind them rode the war dancers. They were mostly younger men. Dyed porcupine headdresses shimmered in the sun like Roman plumes. All wore exquisite beaded vests, gauntlets, and bells around their ankles jingled as they rode along. Next came the medicine men and buffalo dancers. Huge buffalo headdresses trimmed with eagle feathers made them look top heavy, which only added to their already majestic bearing.

As the clan advanced they began to sing an old war song. Men who watched shouted war whoops and women sang or cried. Memories were very real and near to some of them. It was indeed an inspiring sight, though a little sad I thought. The glory was a thing of the past and only memories remained. But what glorious memories these were I was to see for the next three days of the sun dance.

That evening the Elk Soldiers, the Black Arrows and the Chief Clan performed the opening dance in the sun lodge. It was soon filled with men, women, and horses. The loud singing, war whoops, and discharging of old winchesters filled the air with dramatic noises. After a special dance the horses were given away to friends. Men lead the horses away and women struggled along behind them loaded down with gifts.

Now it was time for the sun dance to begin. The most sacred of all the Cheyenne ceremonials, the most elaborate, and the most cruel. Cruel from the stand point of the hunger and thirst involved. The dancers must dance for three days and nights without food or drink. At night they get very little sleep.

The drums began to sound a vibrating rhythm of accent and unaccented time. A high-pitched falsetto voice started each long solo. Then the other singers would join in unison. Singers were divided into groups so that they could sing in relay fashion, day and night, without a break.

The sundancers stood up. Each was directed by a medicine man. Another man behind him guided his arms. He swung them toward the eagles nest on the center pole at the right instant. The eagle bone whistles between their lips were blown in unison and to the beat of the drum. This whistle, as the dancers found out later, would dry their throats to increase their thirst. Each man was painted with symbolic designs down to the waist. He wore a blanket wrapped around his waist like a skirt. A willow wreath was on his head. Green willow streamers dangled from his wrists. In one hand he held an eagle feather fan and four sacred arrows in the other.

They danced in an up and down motion not moving from the spot. At first I thought this was monotonous. But as the days went on it grew on me and I found myself singing along with the rest. Several times I shouted encouragement to a faltering dancer. Once in a while an exhausted dancer would fall to the ground.

The medicine men watched over these dancers carefully. They made them comfortable on their buffalo robes and massaged their bodies. Some lay in semi-consciousness most of the third day while others danced on. Some leaned on willow staffs to support their lean, starved bodies. They swayed backward and forward in a feeble attempt to dance. Others sat and stared at the huge piles of food set before them which they were forbidden to eat. Any one else might eat, but not the fasting sun dancers.

This last day, late in the afternoon, the sun stood still. That is, it seemed so to the dancers. They would, now and then, look to see how far the sun had progressed since last they looked. It crept so slowly across the sky and became so hot. The thirst, the hunger, and delirious delusions increased with the heat. Surely this day would never end, and all of them would slowly die. But they also knew that the sun must set as it always had and with it would come the end of the dance. Then they could eat and drink again, their sacrifice having been made. But right now the time stood still.

As if this were not torture enough, the dancers were lined up. They were to run out of the lodge, to an arrow stuck in the ground, around the arrow and back to the lodge again.

Once at each cardinal point this must be done. As weakened as they were, they formed a line. This was their final test of endurance and they could not falter now. The signal was given and the dancers rushed forward, more stumbling than running. Some of them fell, but were helped to their feet and allowed to continue. Finally all finished the run and another sun dance was over. Over except for the memories that would remain for years to come. Something to tell their grandchildren. Their faith and trust in their maker had been proven. Their belief had been strong enough to carry them through to the final completion of the sun dance.

"Well, how was it?" I asked a dancer walking along to his teepee.

"It was pretty tough. I didn't think I'd last till it rained last night and cooled everything off. Then I knew that God had seen us and taken pity on us. We all made it. Now it is over and it is good."

This was my father talking. He had just taken part in the sun dance the Cheyenne tribe had in 1950.

### PIKE'S MAP

This map is a correct copy of Capt. Pike's map. All the alterations & additions which I have thought necessary and the Spanish names of rivers &c are made with red ink. Perhaps it will not be improper to observe that Rio del Norte is not correctly laid down on this map, as said river, from a little above Taos, runs almost a due west course, following the foot of the mountains (which at Taos form a right angle) till a little below the village of La Cañada, from whence it takes its course again to the South.

The place marked thus [] on the river Cuerno Verde (or Green Horne) is where we have been taken by the Spaniards.

Rio Sn. Carlos & its branch, Cuerno Verde, altogether left out on Pike's map. Serro Huerfano, or Orphan Mound is an isolated rocky mound about 150 feet high from which the river has derived its name. The pass of La Sangre de Christo is the pass most generally used by the Spaniards on their trading expeditions on the Arkansas. No Island in the Rio del Norte, as put down in Pike's map, he having mistaken the outlet of large swamps into the river for a channel of said river round the supposed Island. (Signed) Julius De Mun.





# THE CHOUTEAU-DEMUN EXPEDITION TO NEW MEXICO, 1815-17

By GEORGE S. ULIBARRI\*

IN 1815 two enterprising Frenchmen from St. Louis, Missouri, fitted out an expedition to trade with the Indians along the headwaters of the Arkansas River within the boundaries of present day Colorado. The trading party was arrested in 1817 by Spanish colonial authorities of New Mexico and taken to Santa Fe where they were tried, imprisoned, and their property confiscated. After their release, the traders returned to St. Louis and began a legal battle which lasted over 30 years and involved presenting their claim for illegal property seizure to three different claims commissions before a final decision was rendered.

The leaders of the expedition were Auguste P. Chouteau and Julius Demun, former French citizens who had but recently joined the great American melting pot. Both were members of well-known families in the Missouri Territory. Auguste P. Chouteau was born in St. Louis and had acquired American citizenship under Article III of the treaty for the purchase of Louisiana. He was a nephew of Auguste Chouteau, one of the founders of St. Louis. Members of the Chouteau family were leaders of the fur trade in the early part of the 19th century, their operations extending from the Missouri Territory to the headwaters of the Platte, the Arkansas, and the Rio Grande.<sup>1</sup> Julius Demun, who was born on the island of Santo Domingo, emigrated to the United States at the time of the "great massacre." He lived in Delaware and Pennsylvania before moving to Ste. Genevieve, Missouri, and from there went to St. Louis in 1810.<sup>2</sup> His brother, Count

\* 3960 Penna. Ave., SE., Washington 20, D.C.

1. Ralph Emerson Twitchell, *The Leading Facts of New Mexican History*, Vol. II, p. 99.

2. Document No. 7, Claim No. 37, U.S. Board of Commissioners, 1849-51, Records of Boundary and Claims Commissions and Arbitrations, National Archives, Record Group 76. Hereafter records in the National Archives are indicated by the symbol NA, followed by the record group (RG) number.

Louis Demun, was a well-known figure in Washington where he served as Secretary of the French Legation.<sup>3</sup>

In 1815 Auguste P. Chouteau and Julius Demun organized a large trading party with extensive stores of merchandise, provisions, munitions, and all other suitable equipment for a trading expedition among the Indians. They obtained a license from Governor William Clark of the Missouri Territory before leaving St. Louis on September 10, 1815. The trip to the headwaters of the Arkansas River was made in the company of a trader named Phillibert who had spent the previous year in the Rocky Mountain country and had returned to Missouri to buy supplies with which to trade with the Indians for horses so he could bring in his supply of furs. Phillibert, who sold his entire outfit to Chouteau and Demun, told them that his companions would be waiting at the Huerfano Creek, but when they arrived at their destination on December 8, 1815, the men were gone. Friendly Indians informed Demun that Phillibert's companions had waited until their supplies were almost gone before deciding to go to New Mexico.

Leaving Chouteau behind, Demun went to New Mexico and found them at Taos, where the men had been well treated. From Taos, Demun decided to go to Santa Fe where he had an interview with Governor Alberto Maynez. Induced by the apparent advantage of extending their operations into Spanish territory, Demun tried but did not secure permission to trap beaver in the streams of northern New Mexico. The Governor, however, promised to recommend to the proper authorities in Chihuahua that such permission be given. At the same time he cautioned Demun to restrict his party's activities to the areas north of the Red River.<sup>4</sup> Demun after his interview with Governor Maynez, returned to Chouteau's camp on the Huerfano Creek, and shortly afterwards, accompanied by Phillibert and another trapper, returned to St. Louis.<sup>5</sup>

3. Thomas H. Benton to Secretary of State Henry Clay, May 4, 1825, *Miscellaneous Letters, General Records of the Department of State*, NA, RG 59.

4. Document No. 7, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

5. During his visit to Santa Fe, New Mexico, Demun learned that James Baird, Robert McKnight, Samuel Chambers, and other members of a previous trading party



Demun with several new members added to his party, left St. Louis on July 15, 1816, and met Chouteau, who had brought a shipment of furs, at the mouth of the Kansas river. From there, the two leaders with a party of about 45 trappers and hunters returned to the headwaters of the Arkansas River. Part of the group went to the Sangre de Cristo Mountains while Demun started for Santa Fe. Before arriving at the New Mexican capital, he learned that the new governor, Pedro Maria de Allande, was extremely suspicious of the activities of the fur traders. In fact, Governor Allande ordered Chouteau to get out of Spanish territory, an order with which they complied by proceeding to the headwaters of the Arkansas where they trapped and hunted during the fall and winter.<sup>6</sup> During this time they were in frequent communication with New Mexican authorities. Every precaution was taken to keep the party's operations within the recognized boundaries of the United States, although there were rumors to the contrary. The rumors were investigated but the result proved them to be wholly without foundation.<sup>7</sup>

Demun was planning to take another shipment of furs to St. Louis when his plans were interrupted by the arrival of a Spanish military force under Sergeant Mariano Bernal. Governor Allande had given Sergeant Bernal orders to arrest and conduct the entire party to Santa Fe. All members of the party who were present were arrested on May 24, and on June 1, 1817, were delivered as prisoners to the Governor in Santa Fe, where they were tried by a tribunal made up of the Governor and six other men. Governor Allande felt that the traders had not obeyed his orders to get out of Spanish territory. Demun and his party insisted that they were within the recognized boundaries of the United States, engaged in peaceful activities under a license obtained from Governor Clark of Missouri. The Spanish governor was not convinced by their argument, and the two leaders together with 24 of their companions were confined 48 days in the old jail which

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were being forcibly detained in New Mexico by Spanish authorities. News of their detention, which Demun brought to St. Louis, gladdened the hearts of friends and relatives who had feared that something worse than imprisonment had befallen the unfortunate traders.

6. Twitchell, *op. cit.* p. 100.

7. Document 7, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

stood in the plaza in front of the old palace. During this time they were dieted in a very coarse and meager manner, their fare consisting mostly of boiled corn and beans without salt.<sup>8</sup> At the end of their period of confinement they were ordered to leave the dominions of Spain and the only property they were allowed to keep was their horses and weapons. The value of the seized property was estimated at \$30,380.74. The traders returned to St. Louis arriving there in September 1817.

Back in St. Louis, Demun lost no time in writing to Governor William Clark of the Missouri Territory to give him a "true and faithful account" of the injury done to him and Chouteau. Demun's letter dated November 25, 1817, was accompanied by other documents submitted as evidence in support of his statements. He even included a corrected copy of Pike's map showing the exact spot, south of the Arkansas River, where his party was taken prisoners.<sup>9</sup> Governor Clark transmitted Demun's letter and accompanying documents to Secretary of State, John Quincy Adams. It was not too long before Demun and Chouteau had the satisfaction of knowing that their demand for adequate reparation for losses sustained during their expedition to New Mexico had been made to the Spanish minister by the government of the United States.

Little else was accomplished until February 22, 1819, when a treaty was concluded between the United States and Spain. This treaty, which among other things ceded Florida to the United States, contained certain provisions in Articles III, IX, and XI, which vitally affected the outcome of the Chouteau-Demun claim. Article III defined the western and northern boundaries of the Louisiana Territory, and recognized the Arkansas River from the point it is intersected by the 100th meridian west longitude to its source as the boundary line between the United States and Spanish possessions

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8. *Ibid.* Document No. 29. Much of this material has been printed under the title of "Message and Correspondence relating to the Imprisonment of citizens of the United States" in *American State Papers*, Foreign Relations, IV, pp. 209-213, edited by Walter Lowrie and Walter S. Franklin. It is also printed in *Old Santa Fe*, I, pp. 370-374.

9. A copy of the map in question appears at the end of the article.

along this sector. This may have weakened the Chouteau-Demun claim since agreement on this boundary meant that the Demun party, which was arrested south of the Arkansas, had been operating in territory which the United States now recognized as belonging to Spain. In Article IX the United States agreed to assume responsibility for claims of American citizens against Spain arising from unlawful seizure of property at sea, in ports and territories of Spain, or in the Spanish colonies. Article XI provided for the establishment of a Board of Commissioners to settle the claims of American citizens against Spain for which the United States government had agreed to be responsible in Article IX. In order to carry out the provisions of the treaty under Articles IX and XI, the American Congress on March 3, 1821, approved an act (3 Statutes 639) authorizing the establishment of a Board of Commissioners consisting of 3 members appointed by the President to decide on the validity and justice of such claims as were presented to it.

Demun and Chouteau presented their claim to this Board where it was filed as Claim No. 587. The claimants were listed as Auguste P. Chouteau, Julius Demun (spelled Demondi), Peter Chouteau, and Bartholomew Berthould. Peter Chouteau was a brother of Auguste. Berthould, formerly a native of Bavaria, had obtained naturalization papers in 1809 at Philadelphia.<sup>10</sup> He was part owner of the St. Louis firm of Berthould and Chouteau.

The memorial presented to the Board of Commissioners stated that in 1815 the four claimants had bought a large quantity of merchandise to trade with the Indians, and that while engaged in this peaceful activity within the boundaries of the United States, a Spanish military force arrested the entire party. The memorial added that the group consisting of Chouteau, Demun, and 20 other Americans were imprisoned for a "considerable time" and that their merchandise and furs were confiscated. The claimants expected to be reimbursed for the value of the seized goods as well as for

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10. Document No. 19, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

wages paid to the men they employed. The total amount of losses was not given.<sup>11</sup>

On January 31, 1822, the memorial for Claim No. 587 was read to the Board of Commissioners and on that same day the claim was rejected.<sup>12</sup> The Commissioners did not state in writing the reasons for their decision, but the claimants maintained that it was rejected because this type of claim was not embraced by the provisions of the treaty of 1819 between the United States and Spain. The decision of the Commissioners to reject it, however, released the Spanish government from any further obligation in connection with the Chouteau-Demun claim.

Fortunately for Chouteau and Demun, Mexico had, in the meantime, won its independence and now had jurisdiction over the territory where the claim originated, a fact which led the resourceful traders to start toying with the idea that if Spain was not liable for the acts that had given rise to their claim, then the Mexican government should inherit the responsibility. After all, according to international law, they argued, a newly established government inherits the privileges as well as the responsibilities and obligations of the one that preceded it. This line of reasoning made the Chouteau-Demun claim, a claim against Mexico not against Spain. It was even argued by the claimants' counsel that Mexico was actually separated from Spain in 1808 when Napoleon's army occupied the Iberian peninsula, and that from that date Mexico had been in substantial exercise of self government.<sup>13</sup>

Chouteau and Demun succeeded in advancing their line of reasoning by enlisting the help of influential Senator Thomas H. Benton, and Congressman John Scott, both of Missouri. At least three letters were written, within a 5-day period, to Secretary of State Henry Clay in connection with

11. Claim No. 587, Disallowed Claims, Vol. 61, United States and Spanish Convention, 1819, Records of Boundary and Claims Commissions and Arbitrations, NA, RG 76. (There is a slight inconsistency in statements about the number of persons who were imprisoned and the number of days they were kept in confinement. The number of persons imprisoned varies from 20 to 24, and the number of days in confinement from 44 to 48. There had been 45 men in the party at one time.)

12. Minutes of the Board of Commissioners, January 31, 1822, United States and Spanish Convention, 1819, NA, RG 76.

13. Document No. 6, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

this claim.<sup>14</sup> The first one was written by the claimants themselves on May 3, 1825. Among other things, they reminded the Secretary of State that since negotiations leading toward the establishment of diplomatic relations with Mexico were then in progress, this seemed like an appropriate time for presentation of their claim. The second letter, dated May 4, 1825, was from Senator Thomas H. Benton, and its immediate purpose was to inform the Secretary of State of the desirability of continuing to extend aid and encouragement to the claimants. The two claimants are described as being "gentlemen of the first respectability, allied by blood and marriage to the best families of upper Louisiana." The third letter, dated May 8, 1825, was written by Congressman John Scott. He urged that Chouteau and Demun be rewarded as a matter of justice as well as to help win the affection of the French population in that area.

In the years that followed, Chouteau continued to communicate at infrequent dates with the Department of State. On May 10, 1834, he wrote to the Secretary of State, Louis McLane, concerning his claim, stating that his object in again addressing the Department was to solicit its official intervention in behalf of an injured citizen.<sup>15</sup> The Chouteau-Demun claim had by this time been officially presented by the United States to the Mexican government.<sup>16</sup>

During the 1830's, President Jackson recommended the adoption of vigorous measures to convince Mexico of the need to settle the claims of American citizens and finally on April 11, 1839, a convention was signed which provided that claims of United States citizens against Mexico, arising prior to that date, should be referred to a Board of Commissioners composed of two Americans, two Mexicans, and an Umpire from a neutral country. The Board was given 18 months to decide upon the justice of the claims and the amount of compensation, if any, due from the Mexican government. The rules of procedure provided that in case of disagreement be-

14. Miscellaneous Letters, May 3, 4, 8, 1825, General Records of the Department of State, NA, RG 59.

15. Document No. 23, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

16. *Ibid.* Document No. 12.

tween the Commissioners, the dispute should be referred to the Umpire for a final decision.

The establishment of this Board gave Chouteau and Demun their second opportunity to present their claim. This time it was filed as Claim No. 94, and the claimants were listed as Auguste P. Chouteau and Julius Demun. On July 21, 1841, their claim was presented to the Commissioners for settlement, but a decision could not be reached because the evidence submitted to establish its validity was considered insufficient, and because there was some disagreement as to the liability of Mexico. When it came again for settlement on February 8, 1842, the Commissioners disagreed along national lines. The two American Commissioners regarded it as a valid claim against Mexico and recommended that the claimants be awarded \$75,495.04, of which \$30,380.74 was compensation for the seized merchandise and \$45,114.30 for accumulated interest.<sup>17</sup> The two Mexican Commissioners who were apparently unaware that this claim had already been presented and rejected as a claim against Spain, strenuously urged that Spain not Mexico should make idemnification for the alleged wrongs, if any had been committed. They pointed out that the acts complained of were committed in 1817 when Spanish authorities had control of New Mexico.<sup>18</sup> It was difficult to convince the Mexican Commissioners that their country should be held responsible for events that occurred before it existed as an independent nation. Since the Commissioners could not agree, the Chouteau-Demun claim was referred on February 22, 1842, just 3 days before the expiration date of the Board of Commissioners, to the Umpire for a final decision. The Umpire was unable to examine and render the final judgment before the expiration date, and so the claim remained undecided. But to the two claimants who had so persistently sought reparation it meant that they would never know how it ended, since both died before a final judgment was rendered.

The final settlement came as an aftermath to the War between Mexico and the United States. The treaty of Guadalupe

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17. *Ibid.* Document No. 7.

18. *Ibid.* Document No. 3.

Hidalgo, which ended the war, provided for the assumption by the United States of all claims of American citizens against Mexico which arose prior to the date of signing the treaty. This included claims which had remained undecided under the Convention of 1839 and made the Chouteau-Demun eligible for presentation. A United States Claims Commission composed of 3 members was established to decide on the validity of the claims presented and to determine the amount of compensation due each claimant. Pierre Chouteau, Jr., who was named administrator<sup>19</sup> of the estates of Chouteau and Demun, presented the claim to this Commission where it was filed as Claim No. 37. Thomas H. Benton, an ardent defender of rights of western pioneers, and one of the most influential politicians in Washington, served as counsel for the claimants.

The rules of procedure adopted by the Commission required that written evidence be submitted to prove that the value of the seized property was really \$30,380.74 as stated in the memorial. Some difficulty was encountered in satisfying this requirement since key documents could not be made available. Pierre Chouteau, Jr., maintained that satisfactory documentary proof had already been placed in the hands of the Executive and Legislative Branches of the Government. According to him, Governor Clark transmitted this documentary proof to the Secretary of State in 1817.<sup>20</sup> The proof which supposedly consisted of a detailed and authenticated account of the actual outlay and capital expended for the expedition was now lost or misplaced. Pierre Chouteau, Jr., declared that no copies of these important records were kept by the claimants and added that "after the lapse of so many years, the memory of witnesses cannot be relied to supply their place." He expressed high hopes that the Executive and the Legislative Branches would find the misplaced documents.<sup>21</sup>

Thorough searches for the missing records were made in

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19. *Ibid.* Document No. 5.

20. This refers to the map and accompanying documents, which Demun sent to Governor Clark. See footnote No. 9.

21. Document No. 1, Claim No. 37, U.S. Board of Commissioners, 1849-51, NA, RG 76.

the Office of the Senate, the House of Representatives, and in the Department of State.<sup>22</sup> The result of these searches was submitted in writing to the Claims Commission. The Secretary of the Senate reported that a search had been conducted in the file of the Senate for "Statements marked A, B, C, and D of expenditures of Chouteau and Demun," but that the papers in question had not been found. The Clerk of the House of Representatives reported that a careful search was made in the files of the Office and the Journals of the House, but that he could find no evidence that any papers had been withdrawn from the House. The Secretary of State, Daniel Webster, reported that a thorough but fruitless search had been made in the Department for the desired documents.

Since the original documents could not be located, the only alternative was to submit affidavits from persons who were familiar with the events that had taken place in 1815. At least three such affidavits were prepared and submitted to the Commission.<sup>23</sup> The first one was a sworn statement by John B. Saisy (Saify), a clerk employed by the St. Louis firm of Berthould and Chouteau, the firm from which Auguste P. Chouteau and Julius Demun had purchased their supplies for the expedition. Saisy declared that from a study of the records and memoranda made many years ago, he found that the account of Chouteau and Demun with the firm of Berthould and Chouteau, for goods and money advanced for the expedition, was \$26,700. The clerk also stated that he knew that Demun arrived in St. Louis from the expedition in a destitute condition. The information in the second affidavit was furnished by Etienne Provost, who declared that he was one of the men employed by Chouteau and Demun to go on the expedition and that of the 42 men who participated only two others were still alive, neither of whom was living in the state of Missouri. He added that the commanders of the expedition, Mr. Chouteau and Mr. Demun lost everything, their goods, horses, furs, lead, and powder, and that he believed that the value of the goods amounted at least to the sum of \$30,000. The third affidavit was prepared by Julius Demun in

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22. *Ibid.* Document Nos. 9, 10, and 24.

23. *Ibid.* Document No. 13.



1841. He declared that on his arrival from Santa Fe, he was without a shirt, leggings, or shoes, and that these articles of clothing were supplied him by the kindness of an Osage Indian chief before his entry into St. Louis.

These sworn statements were submitted to the Claims Commission as proof of the justice of the Chouteau-Demun claim, and as evidence of the amount of losses sustained by the leaders of the expedition.

After examining and evaluating the evidence the three Commissioners rendered their decision. They found the claim of Pierre Chouteau, Jr., Administrator of the estates of Auguste P. Chouteau and Julius Demun, to be a valid claim and awarded the estate \$81,772.00, of which \$30,380.00 was compensation for the seized merchandise, and \$51,392.00 for accumulated interest.<sup>24</sup> A United States Treasury warrant, No. 4735, for the total amount was issued on May 17, 1851, bringing the Chouteau-Demun claim to its final conclusion.<sup>25</sup>

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24. Awards, Vol. I, pp. 58-59, U.S. Board of Commissioners, 1949-51, NA, RG 76.

25. Treasury Warrants, 1851, Records of the General Accounting Office, NA, RG 217.

[See Map in *Notes and Documents*, Pp. 347.]

# FRANK BOND: GENTLEMAN SHEEPHERDER OF NORTHERN NEW MEXICO, 1883-1915

*By* FRANK H. GRUBBS

## 6. *Bond & Nohl Company*

THE Bond & Nohl Company was formally organized on Friday, April 6, 1906, with 50,000 shares of one dollar capital stock, issued 16,000 shares each to Frank Bond, George Bond, and Louis F. Nohl, and 2,000 shares to Jose Leandro Martinez.<sup>1</sup> Frank Bond was president of the new corporation, George W. Bond was vice-president, and Louis F. Nohl, salaried at \$140 per month,<sup>2</sup> was secretary, treasurer, and general manager. The home of the new company was Espanola, New Mexico, where as an extension of the partnership of G. W. Bond & Bro. it engaged for thirty-eight years in a more widely diversified field of business than any of the other Bond interests.

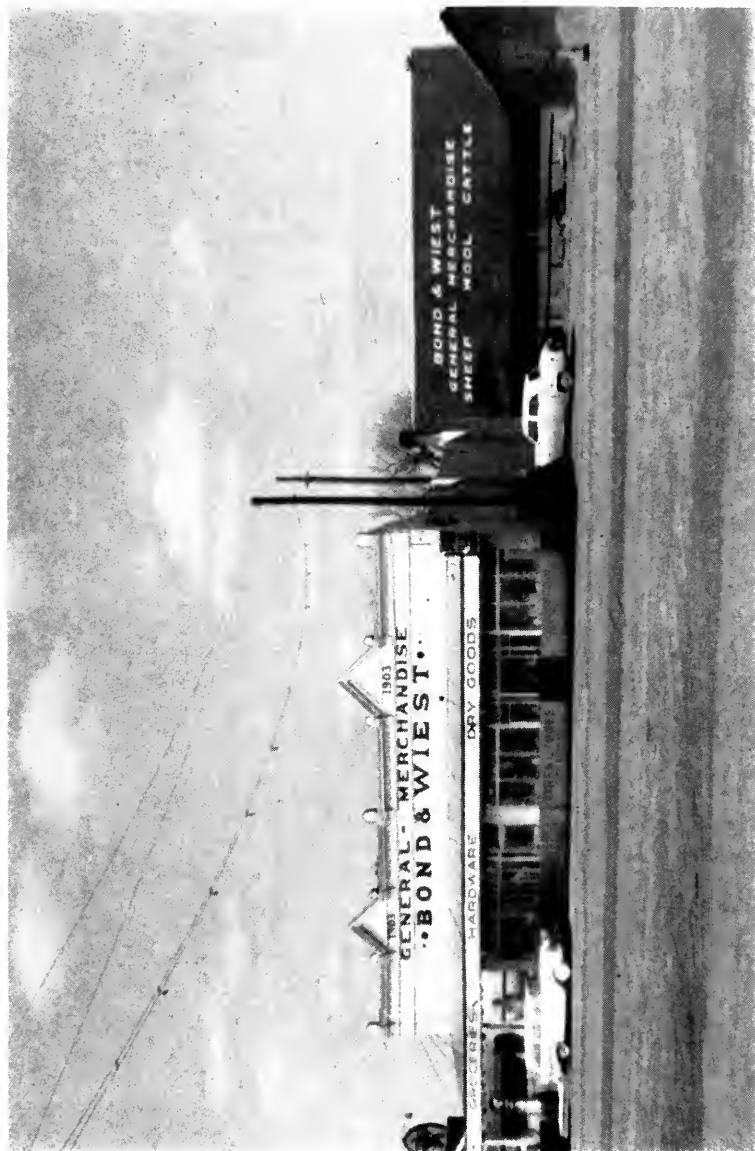
The corporate organization of the Bond & Nohl Company was created in 1906, but its practical beginning was in 1900 when Louis F. Nohl joined G. W. Bond & Bro. in a profit-sharing capacity. To carry the matter further, it may even be said that it was born of evolution rather than creation. Since Frank Bond continued to operate his own business from Espanola, actually headquartering with Bond & Nohl, it is probable that the townspeople were unaware of any change in organization other than the name on the front of the store.

Louis Nohl entered the new organization under a cloud of tragedy. Just a month after the new company was formed, his first wife died, leaving Nohl with their six children.<sup>3</sup> At this time he had a net worth of \$4,886 which by July 31, 1909, the date of Nohl's second marriage, had grown to \$17,833.17

1. Stock Certificates (in the files of Frank Bond & Son, Inc., Albuquerque).

2. Record of Minutes (in the files of Frank Bond & Son, Inc., Albuquerque).

3. Miscellaneous papers re estate of Louis F. Nohl, Bond Papers, *loc. cit.*



BOND & WIEST, CUERVO



due entirely to his participation in profits of the Bond & Nohl Company.<sup>4</sup> Nohl received his stock interest in the company in exchange for his personal note, and in 1909 G. W. Bond & Bro. held this note in the amount of \$12,078.25.<sup>5</sup> Thus it was that Louis Nohl was received into the Bond management family on the same generous terms that so many others were fortunate enough to enjoy.

Leandro Martinez, the minority stockholder, was generally employed as an outside man, or general foreman, but the way in which he acquired his stock is unknown. However, when he left the firm in 1913, he surrendered his 2,000 shares of stock. These were returned to Bond & Nohl in January, 1914, and were carried thenceforth as treasury stock. There is no record of how much he received at the time he surrendered his interest, and after leaving Bond & Nohl he joined with Leo Hersch to provide backing to Morris and Clark in putting up store buildings in Espanola. Frank Bond rather expected Leandro to interfere some with the lamb business,<sup>6</sup> but if he did there was never any further mention of the matter although he was later suspected of buying wool for Charles Ilfeld.<sup>7</sup>

At the end of 1906, the first year of business, the merchandise stock of Bond & Nohl was valued at almost \$63,000, but merchandise inventories throughout the period from 1907 through 1915 were generally maintained at a somewhat lower but relatively constant level of about \$55,000. An itemization of the more significant items in the 1906 inventory has been located, and these commodities are listed in Table 36 as representing typical investments and suggesting the large quantities of staple goods that were carried.

Inventory activity remained fairly steady from 1906 through 1915 as shown in Table 37. There being no way to

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4. *Ibid.*

5. *Ibid.*

6. *Letter Book No. 53*, June 17, 1914, p. 43. The individuals from whom Bond customarily purchased sheep and wool were usually referred to as "customers," and attempts by outsiders to trade with those customers was considered to be interference. The modern term would be "competition," but this term today does not carry the overtones of knavery that seem to have been implicit in "interference." Bond used both terms, and his usage implies a distinction in this sense.

7. *Letter Book No. 57*, March 24, 1915, p. 450.

determine average inventory levels, the inventory turnover has been computed by relating year-end inventory levels to the cost of merchandise sold.

TABLE 36  
MAJOR COMMODITY ITEMS IN  
BOND & NOHL INVENTORY, 1906

Quantity	Item	Price	Amount
181,291 lbs	Pinons	\$ .07	\$12,690.37
24,000 lbs	1st Grade Flour	1.75	420.00
115,500 lbs	2nd Grade Flour	1.60	1,732.50
84,449 lbs	Wheat	1.00	844.49
. . .	Black Leaf	. . .	1,267.31
. . .	Surplus Stock <sup>a</sup>	. . .	3,000.00

a. Shoes purchased on account of an advancing market.

TABLE 37  
BOND & NOHL INVENTORY TURNOVER

Year	Turnover
1906 .....	1.9
1907 .....	3.1
1908 .....	2.3
1909 .....	a
1910 .....	2.4
1911 .....	2.3
1912 .....	2.6
1913 .....	2.7
1914 .....	2.3
1915 .....	2.5

a. Sales data not available.

The Bond & Nohl sales and profit data shown in Table 38 indicate the size of the mercantile business for the years through 1915 and represent a wide variety of items as might be expected in a general mercantile establishment. There were staples,<sup>8</sup> alfalfa, hay, caskets,<sup>9</sup> pencil sharpeners in-

8. Typical prices were: flour, \$1.25 per sack; granulated sugar, \$1.00 for 14 lb. sack; coffee, \$.25 lb.; lard compound, \$1.35 for 10 lb. pail; coal oil, \$.35 gal.; laundry soap (brown or white), \$.05 bar. *Letter Book No. 53*, June 16, 1914, p. 25.

9. Itemized expenses for the burial of a deceased pensioner in 1914 included \$4.10 for the coffin and \$6.00 fee for the priest. (*Letter Book No. 53*, July 4, 1914, p. 261.) In 1881 the cost of burying an indigent in Santa Fe County was \$30. Sister Blandina Segale, *At the End of the Santa Fe Trail* (Columbus, Ohio: The Columbian Press, 1932), p. 180.

TABLE 38

## BOND &amp; NOHL SALES AND PROFIT ON MERCHANDISE

(dollars in thousands)

Year	Cash Sales	Credit Sales	Total Sales	Gross Profit on Merchandise
1906	\$46.5	\$100.7	\$147.2	\$27.3
1907	49.8	133.3	183.1	31.3
1908	43.1	100.6	143.7	21.3
1909	. . .	. . .	. . .	22.4
1910	57.2	103.2	160.4	25.4
1911	55.1	106.2	161.3	28.1
1912	51.6	120.3	171.9	27.3
1913	55.3	115.1	170.4	27.8
1914	40.5	106.2	146.7	33.6
1915	48.5	114.2	162.7	22.7

a. Gross profits on wool and on sheep trading are reported in Tables 39 and 40 respectively. Profits are summarized and net profits are shown in Table 42.

cluding coupons for sharpening the sharpener, clothing, meats, Indian pottery, chile, blankets, Bain wagons,<sup>10</sup> guns, ammunition, fencing, buggies, Victor Talking machines, Victrola records,<sup>11</sup> refrigerators, patent medicines,<sup>12</sup> and pinons.<sup>13</sup> Some commodities were handled in large lots, particularly such items as hay, beans, chile, and pinons.<sup>14</sup>

Every effort was made to fill orders for almost any item. Once a customer ordered a heater, and in asking the supplier to quote a price it was requested that he add 25 per cent to the price of the heater so that they could show the customer the quotation telegram.<sup>15</sup> If the item could not be obtained or was not in stock, the order was turned over to the Espanola Mercantile Company,<sup>16</sup> and the customer was so notified. Goods were never consigned, and although both cash and credit business was conducted, there was only one price. For

10. The profit on a wagon was about \$10. *Letter Book No. 53*, May 17, 1915.

11. One order for Victrola records to the Knight-Campbell Music Company in Denver included such favorites as "Ballin' the Jack," "Memphis Blues," "Rose of the Mountain Trail," "Peg O' My Heart," "Roamin' in the Gloamin'," "She is My Daisy," "Italian Street Song," and "Oh, It's Nice To Get Up In the Morning, But It's Nicer To Stay In Bed." *Letter Book No. 53*, July 1, 1915, p. 703.

12. Wine of Cardui and Black Draught. *Letter Book No. 59*, July 13, 1915, p. 133.

13. *Letter Books*, *passim*.

14. *Supra*, Table 36.

15. *Letter Book No. 50*, December 19, 1913, p. 526.

16. *Ibid.*, October 20, 1913, p. 134; *infra*, chap. xi.

a time a dual pricing structure was tried under which separate prices for cash and for credit were maintained, but finding it to be completely unworkable, it was abandoned.<sup>17</sup>

Dealing in a wide variety of merchandise had its headaches as well as its profits, particularly in connection with fairly large commodity transactions. Pinons in New Mexico are a highly seasonal and uncertain crop, harvested by hand in the vast stretches of pinon forests that cover much of the central and northern New Mexico mountains. Pinons are highly sensitive to the effects of wind and weather so that the crop is frequently almost nonexistent. There was usually a large demand for pinon nuts by the eastern specialty houses, and an investment in pinons could often be held for some time against an advance in the market for the nuts keep well without any special warehousing requirements.

Charles E. Doll, of Santa Fe, had such a pinon warehouse,<sup>18</sup> and in 1913 Bond & Nohl entered into an agreement with him under which they were each to purchase pinon nuts, sell them, and share in the profits.<sup>19</sup> This agreement covered all pinon nuts that Doll should buy, regardless of where he bought them. The agreement was a verbal one, and at the end of the season Frank Bond found that he had bought all the pinons and made all the profits while Doll ostensibly had bought no pinons and made no money for Bond. Satisfied that Doll was not living up to his agreement, Bond put a man out on the road to make further inquiries, and found that Doll had actually sold and shipped large quantities of pinons without sharing the profits with Bond. Pressed, Doll would not admit that he had made any sales and would not pay the Bond claim. In November of the following year Bond offered to settle the account if Doll would remit \$3,500 cash and threatened to bring suit if he didn't pay within a week. A. B. Renehan, of the Santa Fe law firm of Renehan and Wright, was representing Bond in the matter, and Doll immediately waited upon Renehan; presenting evidence of further shipments, he asked Renehan to represent him. Louis Nohl felt

17. *Letter Book No. 59*, August 28, 1915, p. 525.

18. Interview with J. E. Davenport.

19. *Letter Book No. 56*, December 7, 1914, p. 240.



that an old grievance between Doll and himself had influenced Doll to take the position he did, and Nohl had evidence that Doll had sold at least 110,000 pounds of pinons to Birdsong Brothers in New York. He promptly wrote them asking for details of the shipments, but they refused and then promptly filed a claim against Bond & Nohl. The claim received a cold reception at Espanola. At this point Bond went to work in earnest. He wrote letters to forty-seven fruit and nut dealers in New York, San Francisco, Chicago, Los Angeles, and St. Louis asking for information on pinon transactions with Doll. Most of the inquiries were fruitless, but one dealer in New York City reported that they had bought 240,000 pounds of pinons from Doll at prices ranging up to nine cents per hundred.

Although Doll had sold at least 350,000 pounds of pinons, he still didn't pay Bond his share of the profits, and by May, 1915, Bond was about willing to settle for \$1,000 out of sheer exasperation. Settlement was made shortly thereafter, but Bond paid the attorneys' fee of \$250.<sup>20</sup> Referring mildly to Doll's "cussedness," Bond commented: "We are glad to know that Charlie realizes that he has acted dishonorably in this matter and that he is truly repentant. I just wish to say to you, that we intend to overlook this unkindness on Charlie's part to a very large extent."<sup>21</sup>

It is apparent from an examination of the sales data in Table 37, *supra*, that a large part of the sales were on credit. Terms of sale on staple items were usually 2 per cent for cash in ten days, but on at least one occasion a customer deducted a cash discount on an invoice that was ten months old. He didn't get away with it.<sup>22</sup>

All the stores in the Bond system sold a great deal of their

20. *Letter Book No. 56*, November 20, 1914, p. 104; *ibid.*, November 26, 1914, p. 149; *ibid.*, December 2, 1914, p. 184; *ibid.*, December 7, 1914, p. 240; *ibid.*, December 17, 1914, p. 309; *ibid.*, December 29, 1914, p. 392; *ibid.*, January 27, 1915, p. 610; *ibid.*, January 30, 1915, p. 644; *Letter Book No. 57*, March 9, 1915, p. 314; *ibid.*, March 10, 1915, pp. 344-348; *ibid.*, March 15, 1915, pp. 368ff.; *ibid.*, March 17, 1915, p. 388; *ibid.*, March 18, 1915, p. 424; *ibid.*, April 5, 1915, p. 520; *Letter Book No. 58*, May 19, 1915, p. 198; *ibid.*, June 1, 1915, p. 639; *ibid.*, June 1, 1915, p. 346.

21. *Letter Book No. 58*, June 1, 1915, p. 342.

22. *Letter Book No. 56*, February 2, 1915, p. 689; *Letter Book No. 50*, October 11, 1913, p. 36.

merchandise on credit, of course, and it was standard practice to value the receivable to reflect anticipated collectibles. From 1900 they were valued at ninety cents on the dollar, but in 1907 the valuation of accounts receivable was reduced to 85 per cent of book value. Thereafter, the offset against receivables varied percentagewise from year to year, being as high as 20 per cent and as low as 10 per cent.<sup>23</sup> These variations resulted from a careful and realistic analysis of the receivables for the purpose of determining exactly which ones would and which ones probably would not be collected.

A great deal can be learned about a man by observing the way in which he conducts one of the most sensitive aspects of his business—credit. Frank Bond recognized the importance of collecting those sums which were due him, yet he manifested a great deal of patience and understanding as he pursued his due. Respect for his own rights was interwoven with his respect for the dignity and honor of his customers and friends. He utilized both the Bradstreet Company and the R. G. Dun Company for special investigations and as his main source of credit reference.<sup>24</sup> Collections were normally handled directly, but instances did sometimes arise that made the services of attorneys, collection agents, or investigators desirable. Early in 1915, for instance, Frank Bond was informed that Alfredo Lucero, of Santa Cruz, had mortgaged his merchandise stock for which he had not yet paid Bond & Nohl. Bond demanded immediate settlement of the account, whereupon Lucero denied that the stock was mortgaged. The Bradstreet and Dun companies were asked to investigate the facts, absolving Lucero.<sup>25</sup>

These concerns were also asked upon occasion to make collections,<sup>26</sup> although relatively complex collection problems were sometimes handled more directly. On one occasion R. M. Willis of Carson, New Mexico, had fallen behind in his ac-

23. *Records, loc. cit.*

24. Propositions received from other companies not known personally by Bond were given scant consideration if they were not listed with Dun or Bradstreet. *Letter Book No. 58*, June 1, 1915, p. 350.

25. *Letter Book No. 57*, February 25, 1915, p. 210; *ibid.*, February 27, 1915, pp. 234-235.

26. *Ibid.*, February 27, 1915, p. 234.

count, and Frank Bond undertook to help him find a buyer for some water-soaked and alkali-covered ranch property so that Willis could pay his account. Bond finally accepted with some reluctance the deed to the ranch and continued to search for a buyer.<sup>27</sup> The American Adjusting Company in San Francisco, California, was used occasionally for collecting notes and accounts as also were attorneys.<sup>28</sup> Judge Julius C. Gunter in Denver, Colorado, collected some of the largest notes that were handled, and Benjamin M. Read in Santa Fe did some collection work.

Judge Read handled one assignment concerning the collection of a number of small accounts receivable that Bond & Nohl acquired along with the stock of the Seligman Dry Goods Company from Adolf Seligman of Santa Fe. They were turned over to Read for collection on a percentage basis, and the petty ledger was forwarded to him. Some difficulty arose, however, when Seligman made some strenuous efforts to collect the accounts himself even though they were no longer his. Bond referred the matter to E. A. Johnson, an attorney with Renehan and Wright, but later Bond addressed himself directly to Seligman, stating that he was sorry to hear of his condition and saying that: "It has never been our policy to push any man to the wall. I would suggest that you do not worry about these little matters and I surely hope that your financial condition may improve."<sup>29</sup>

Notwithstanding Bond's usual caution, a gypsy by the name of Alejandro Nicholas walked into the store one day and presented an endorsed check for \$8.92 in payment of some goods. The air in the store must have been somewhat strained when it became necessary for Bond to write the First National Bank in Santa Fe asking them to cancel Bond & Nohl's endorsement, collect from the gypsy, and return the check.<sup>30</sup>

Frank Bond was always willing to cooperate as much as

27. *Letter Book No. 58*, May 1, 1915, p. 18; *ibid.*, May 7, 1915, p. 86; *ibid.*, May 19, 1915, p. 196; *ibid.*, June 11, 1915, p. 465.

28. *Letter Book No. 57*, April 12, 1915, p. 600; *ibid.*, April 29, 1915, p. 701.

29. *Letter Book No. 58*, May 15, 1915, p. 137; *ibid.*, May 21, 1915, p. 248; *ibid.*, June 7, 1915, p. 430; *ibid.*, June 14, 1915, p. 510.

30. *Ibid.*, June 14, 1915, p. 486.

possible with deserving people who sincerely worked to get themselves out of difficulty, and upon receipt of a ten-dollar payment from Jose Quintana, Bond wrote to him: "If you continue paying on your note right along we will help you out some on the interest."<sup>31</sup>

Possibly the most interesting, frustrating, and colorful collection problem that ever faced the respectable pillars of business in the offices of Bond & Nohl concerned two irascible spinsters who lived together on a ranch located about six miles south of Espanola—the Misses Bryan and True. Frank Bond was wary of these two testy ladies as early as 1907 when he warned C. L. Pollard: "There is no use having any Quixotic ideas in regard to this lady [Miss True]. She has taken advantage of your friendship."<sup>32</sup> By late 1914 they had accumulated an overdue account with Bond & Nohl amounting to \$1,000 for which they gave their note.<sup>33</sup> The note finally became as badly in arrears as were the accounts in the first place, and the note was turned over to Renehan and Wright for collection. The attorneys prepared suit to be served on the two choleric delinquents by F. A. Geis, Bond's stenographer. Thereupon Miss True paid \$250, with the result that Judge Wright was asked to hold the suit in abeyance until the first of the year when the note would be paid. In January, when they had not paid the balance, Nohl asked that judgment be entered against them in accordance with their agreement when the suit was postponed. Shortly thereafter, then, a check was received; this was followed by another payment which, however, was in the form of a check payable only on condition that the suit not be prosecuted. By the end of January they were trying to collect the attorney's fee from Miss True. In February they complained that nothing had been done and asked A. B. Renehan to force another payment. By the end of March the perplexed Bond and Nohl were wondering what to do next. They wrote Miss True warning that she had until April 3 to pay the balance, and to the relief of all a few days later Judge Wright must have had a stern session

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31. *Ibid.*, May 18, 1915, p. 160.

32. *Letter Book No. 6*, September 17, 1907.

33. Interview with J. E. Davenport.

with Miss True for he reported that he had adjusted the matter satisfactorily. This, however, was not to be. In May, Nohl complained to his attorneys that they hadn't yet received anything from Miss Clara D. True or Miss Bryan, and in June a judgment was finally taken against Miss True who promptly appealed to Frank Bond for just sixty days' more time in which to pay the balance which was now down to \$550. He agreed. In August, after the sixty days were past, Miss True tried another tack. She wrote directly to Frank Bond, lodging complaints against Louis Nohl. Bond replied:

I look for Mr. Nohl to be here Saturday of this week, and you can take up this matter with him, or if you prefer to leave a message with me I will surely see that it is promptly delivered to him. . . . I take no part whatever in the management of this business, except as regards the purchase of sheep and wool. I do not interfere with Mr. Nohl one particle, and we adopt the same policy with all our managers. We look to them solely for results.

It has always been the policy of Bond & Nohl Company and all the Bond stores to treat everybody honorably, courteously and considerately, and I should hate to think that you have been treated otherwise. You know that we would not intentionally do you an injustice and that we fully appreciate your good will and friendship.<sup>34</sup>

In September, Bond tried to shake her off again by asking that further correspondence be addressed to the Bond & Nohl Company. The matter was finally cleared up sometime later that year when Miss True's foreman was driving a herd of her cattle northward through Espanola. John Davenport, determined to settle the matter, simply seized the cattle and closed the account.<sup>35</sup>

Some minor activity in hides and pelts produced small profits, but they never exceeded \$1,000 a year. The same is true of a number of miscellaneous minor profit-producing transactions that occasionally occurred outside the merchandise business such as interest, collection of old accounts, dividends on stock owned, etc.

34. *Letter Book No. 59*, August 26, 1915, p. 506.

35. *Letter Book No. 56*, *passim*; *Letter Book No. 57*, *passim*; *Letter Book No. 58*, *passim*; *Letter Book No. 59*, *passim*; interview with J. E. Davenport.

The buying and selling of wool was generally handled by G. W. Bond & Bro. and later by Frank Bond. However, Bond & Nohl was a party to the Bond-Warshauer wool agreement,<sup>36</sup> and while outside wool activity was not extensive, some wool profits were earned as revealed in Table 39.

TABLE 39  
BOND & NOHL WOOL PROFITS

Year	Amount
1909 .....	\$7,003.69
1910 .....	1,852.47
1911 .....	2,915.92
1912 .....	6,411.85
1913 .....	.00
1914 .....	365.61
1915 .....	4,251.31

Bond & Nohl was Frank Bond's sheep trading agency, but G. W. Bond & Bro. owned all the rented sheep except those owned by the other stores. Bond & Nohl seems to have had no sheep out on rent with *partidarios*. On the other hand, after Bond & Nohl was organized and took over the sheep trading and feeding operations, G. W. Bond & Bro. discontinued all sheep except on the rental side.

All sheep trading and winter feeding was carried on by Bond & Nohl in a three-way partnership with Fred Warshauer in Antonito, Colorado, and E. S. Leavenworth in Wood River, Nebraska. Under the terms of this arrangement, Leavenworth received half the profits, Warshauer one-fourth, and Bond & Nohl one-fourth.<sup>37</sup> Since Frank and George Bond each owned one-third of Bond & Nohl, they each then realized only one-twelfth of the profits on sheep. Fred Warshauer bought all his sheep for joint account with Bond & Nohl and divided his profits evenly with them, so the Bonds by virtue of their ownership each received one-sixth of the profits on Warshauer's trading.<sup>38</sup> Leavenworth operated the feeding ranch at Wood River, Nebraska, and the records leave no

36. *Supra*, chap. iii.

37. *Letter Book No. 6*, September 19, 1910.

38. *Ibid.*

indication that he engaged in any sheep trading, at least insofar as the Bonds were concerned.

It appears that the Bond-Warshauer-Leavenworth agreement did not come into existence until about 1908, for prior to that time feeding and trading accounts were maintained with Corlett, Everitt, Leavenworth alone, Antonio Lopez, L. C. Butscher, and Ed Sargent.<sup>39</sup> Fred Warshauer died in 1913, and Leavenworth's health broke down the following year, so the probable period of the agreement appears to have been from 1908 until about 1913; but Bond & Nohl continued after that time to split sheep profits with the Warshauer-McClure Sheep Company, dealing then with Will McClure.<sup>40</sup>

The Bond & Nohl sheep profits are shown in Table 40 for the period through 1915. In order to approximate the total profits on sheep trading activities after giving effect to the joint agreements, the Bond & Nohl profits are extended by appropriate factors.

TABLE 40  
NET PROFITS ON SHEEP TRADING  
(even dollars)

Year	Bond & Nohl Profits	Factor	Total Profits
1906	\$ 8,149	2	\$16,298
1907	6,755	2	13,510
1908	2,552	4	10,208
1909	14,078	4	56,312
1910	6,893	4	27,572
1911	(2,714) <sup>a</sup>	4	(10,856) <sup>a</sup>
1912	11,138	4	44,552
1913	4,688	4	18,752
1914	3,922	2	7,844
1915	7,112	2	14,224

a. The 1911 loss is somewhat open to question because it results from the fact that the profits on the 1911 lambs sales were not realized until 1912 plus the inclusion as an expense something over \$5,000 in unidentified sheep feeding costs that possibly should have been charged to the feeding accounts rather than to the 1911 sheep schedule.

The handling of large numbers of sheep had its physical difficulties as well as the problems inherent in the crude mar-

39. *Records, loc. cit.*

40. *Letter Book No. 53*, July 23, 1914, p. 439.

ket analysis of the day and in the financing of sheep trading. Sheep were trailed from their origin to the shipping points where they were loaded into freight cars. Up to the turn of the century sheep trading had been done by the head, but the practice changed about that time to selling them by weight,<sup>41</sup> so the sheep had to be weighed as well as counted prior to loading them aboard the cars. For these purposes, Bond & Nohl maintained a camp house, scale,<sup>42</sup> and loading pens at Servilleta which was on the Denver and Rio Grande Railroad in Taos County thirty-eight miles due north of Espanola and twenty-two miles northwest of Taos.<sup>43</sup>

Frank Bond frequently supervised the loading operations personally, arising about three o'clock in the morning to lead the crews himself. He is clearly remembered for the furious pace he kept, and it is recalled that he never slowed down all day long below a fast dogtrot.<sup>44</sup> Loading sheep demanded advance arrangements with the railroad to have cars available, and these arrangements provide us with the only indication of the number of sheep traded by Bond & Nohl. In October, 1913, the requirement was for thirty railroad cars per day at the Servilleta shipping point for three successive days. At about three hundred head per car, this one shipment numbered approximately 27,000 head of sheep—and 1913 was a hard year.<sup>45</sup>

Handling sheep involved other difficulties too. Sheep not only have more different kinds of parasites than any other domestic animal, but also suffer more serious effects from them. They have stomach worms, nodular worms in the intestines, tapeworms, flukes, and the particularly repulsive head grubs that afflict feeder lambs.<sup>46</sup> New Mexico was particularly honored with a disease known as the *trembles* or

41. Wentworth, *op. cit.*, p. 362. Pricing and selling was by weight; contracting was done by the head but with restrictions as to maximum, minimum, and average weights.

42. Two Fairbanks-Morse scales of six tons capacity each. *Letter Book No. 56*, December 3, 1914, p. 203.

43. U. S., Department of the Interior, G. L. O., *Map of Territory of New Mexico*, 1903.

44. Interview with John F. McCarthy, Taos, New Mexico, January 10, 1958.

45. *Letter Book No. 50*, October 11, 1913, p. 40; *ibid.*, October 16, 1913, p. 81; *ibid.*, October 20, 1913, p. 105.

46. Wentworth, *op. cit.*, p. 463.



*alkaline disease* that was caused by eating goldenrod.<sup>47</sup> Sore lips, too, were a source of worry, and in 1914 more than 900 of Bond's sheep on feed in Nebraska were afflicted, with some losses.<sup>48</sup> In addition to these parasites, there was foot-rot which reached its climax in 1906 and scab, or mange, which is the widest spread, oldest, and most prevalent of all sheep diseases. This malady, that results not only in shedding of wool but also in death to the animal, was not effectively controlled until about the turn of the century when the use of nicotine or lime-sulphur dips was found to be effective.<sup>49</sup>

The New Mexico Sheep Sanitary Board, organized in 1897, established and maintained scab control in New Mexico, and in 1899 Solomon F. Luna of Los Lunas, W. S. Prager of Roswell, and Harry F. Lee of San Mateo were elected president, vice-president, and secretary, respectively. At the same time, fifty inspectors were appointed with the duty of inspecting every flock in their county annually and with the power to quarantine infected sheep and inspect all incoming and outgoing sheep. G. W. Bond, then in Wagon Mound, and Frank Bond in Espanola, were among these inspectors,<sup>50</sup> and since this was mostly an actual working job, additional duties devolved upon the brothers, not only in the nature of a public service but also in the interest of protecting their own flocks.

In 1904 all the sheep in the Territory were ordered dipped, the U. S. Department of Agriculture threatened a general quarantine of New Mexico,<sup>51</sup> and general dipping orders were then issued as necessary. Bond & Nohl did not support the cost of dipping the flocks of their customers, nor indeed did G. W. Bond & Bro. pay for dipping their sheep on rent. This was the individual flockmaster's responsibility.<sup>52</sup> However, they did, upon request of the inspectors, order the necessary materials—sulphur from Gross-Kelly and lime from the state penitentiary at Santa Fe.<sup>53</sup> There were

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47. *Ibid.*

48. *Letter Book No. 56*, December 31, 1914, p. 413.

49. Wentworth, *op. cit.*, pp. 448-457.

50. *Ibid.*, pp. 458-459.

51. *Letter Book No. 6*, August 23, 1904, p. 82.

52. *Letter Book No. 57*, March 30, 1915, p. 485.

53. *Ibid.*, March 23, 1915, p. 437.

other minor chores for Bond too. In order to reach the nearest dipping plant, the flocks sometimes had to cross National Forest Land, and so Bond usually arranged for the necessary crossing permits.<sup>54</sup> After 1909, however, Bond & Nohl owned and operated their own sheep dipping plant at Espanola.<sup>55</sup>

Last, but not least of the sheepman's woes was the weather. The hard winter of 1914-1915 cost the growers about 30 per cent of the ewes in the Espanola area. Bond lost 1,777 sheep in Sandoval county and 1,500 more as far south as Bernalillo County. The vast Navajo country to the west was hard hit too. John Davenport estimated that losses in the area north of Cabezón might run upwards of 10,000, and Frank Bond had Walter Connell privately look into the possibility of buying up the sheep pelts that would result.<sup>56</sup>

Normal sheep trading contemplated buying sheep and lambs in the spring and selling them in the fall at a profit, both purchase and sale being started in the spring and continuing in diminishing degree through the summer. Sheep received in the fall were immediately shipped out to the buyers, but it was also frequently profitable to hold lambs over, fatten them on feed during the winter months, and sell them early the following year. Indeed, winter feeding was a very important operation in the Bond scheme of things.

The earliest positive indication of sheep being fed during the winter was at the end of 1894 when the Wagon Mound store had sheep on feed at Ft. Collins, Colorado. However, G. W. Bond & Bro. had a very small sheep investment at the end of 1893 which, being at the end of December, must have represented sheep on feed although probably not in formal feed lots. As early as 1902 sheep were being fed with C. B. Reynolds in Nebraska, and during the winter of 1906-1907 Bond & Nohl fed sheep jointly with four others. The follow-

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54. *Letter Book No. 59*, August 11, 1915, p. 379.

55. *Records*, loc. cit.

56. *Letter Book No. 57*, March 9, 1915, p. 311; *ibid.*, April 28, 1915, p. 700; *Letter Book No. 58*, May 18, 1915, p. 169; *Letter Book No. 59*, August 7, 1915, p. 340.

Sheep losses in New Mexico were reported to have been as high as 40 per cent during the winter of 1904-1905, and the editor of *The American Shepherd's Bulletin* was highly critical of sheep handling in the state. He commented:

"If . . . [the] sheep owners would try the experiment of providing adequate feed and shelter for their flocks, the result might be very interesting." *The American Shepherd's Bulletin*, X, No. 4 (April, 1905), 394 (18).

ing year they had their first joint feeding account with E. S. Leavenworth.

In 1909 the Bonds acquired a 270-acre ranch at Wood River, Nebraska, for winter sheep feeding,<sup>57</sup> but the investment was carried on Frank Bond's personal books and not by Bond & Nohl even though the latter was Frank Bond's feeding agency. During these years Bond & Nohl fed sheep at Wood River with four men—E. S. Leavenworth, W. C. Scott, H. M. Russell, and H. S. Eaton. Wood River, however, was being used extensively by New Mexico sheep men for winter feeding long before the Bonds bought their ranch there; 11,500 head were shipped out of Santa Fe in November, 1904, for the feed lots in Wood River,<sup>58</sup> but the extent to which Bond participated in Wood River feeding at that time is undisclosed.

In addition to the ranch property, other feed lots were rented from the Dawson County National Bank in Lexington, Nebraska, for the modest sum of fifty dollars a year.<sup>59</sup> These were the lots used by H. M. Russell where in 1914-1915 he fed 8,801 sheep and 19 goats.

The winter of 1914-1915 was typical of winter feeding even though it was by no means the biggest. Indeed, in August Frank Bond indicated that he would not feed many sheep that winter because he feared that prices would drop after the war. The United States had not yet been drawn into the war, and the general opinion in northern New Mexico was that the war would not last more than three months, or six months at the outside. But Bond did feel that if the war lasted until after the sheep market in the spring, feeding could be profitable. The belief that it would in fact last must have developed for he did finally feed about 28,000 head of sheep in Nebraska that winter.<sup>60</sup>

Clay, Robinson and Company was a livestock commission

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57. *Letter Book No. 6*, March 16, 1910.

58. "The largest shipment of sheep that ever left Santa Fe at one time was sent to Wood River, Neb., Nov. 7, [1904] over the Denver & Rio Grande. They were driven into the city and filled 36 cars, being 7,000 in number. About 4,500 more head were driven over the Santa Fe Central for the same destination the next day, coming from Estancia." *The American Shepherd's Bulletin*, IX, No. 12 (December, 1904), 1306 (98).

59. *Letter Book No. 59*, August 31, 1915, p. 545.

60. *Letter Book No. 55*, August 25, 1914, p. 7; *ibid.*, October 21, 1914, p. 625.

firm in Denver, operated by John Clay, Charles H. Robinson, and William H. Forrest, which began discounting livestock paper with the First National Bank of Chicago not long after the Bonds came to New Mexico and through which Frank Bond financed much of his winter feeding.<sup>61</sup> In order to finance his feeding in the winter of 1914, Bond borrowed \$65,000 from that firm at 9 per cent interest<sup>62</sup> and agreed to ship them all the sheep on feed the following spring. The notes securing feeding advances were signed by the feeder, but Bond endorsed them. They were paid in sheep, the note being credited with each shipment until they were paid. Subsequent credits were deposited directly to the Bond & Nohl account in the Pueblo Bank.<sup>63</sup>

The feeding with H. M. Russell and W. C. Scott in 1914 was divided into thirds—equal interests being held by Bond & Nohl, the Warshauer-McClure Sheep Company, and the G. W. Bond & Bro. Mercantile Company in Encino. The Leavenworth feeding was shared in by Bond & Nohl for only one-sixth, an equal share being held by Warshauer-McClure, and a two-thirds interest by E. S. Leavenworth who had 11,000 sheep on feed.<sup>64</sup>

Feeding large flocks of sheep during the winter was expensive,<sup>65</sup> and it required careful attention to matters of purchasing corn, prairie hay, or alfalfa to feed them. Indeed, buying feed could easily make the difference between profit and loss on the winter gamble.<sup>66</sup> For these purchases the

61. Wentworth, *op. cit.*, p. 439.

62. Bond protested that this rate was too high in view of the size of his feeding operation. He asked Clay, Robinson & Co. for 7 per cent money and the following year they did even better than that, offering feeding advances at 6 per cent. *Letter Book No. 57*, February 8, 1915, p. 13; *Letter Book No. 59*, p. 472.

63. *Letter Book No. 57*, February 17, 1915, p. 159.

64. *Letter Book No. 55*, October 21, 1914, p. 625; *Letter Book No. 56*, December 4, 1914, p. 214. Inviting C. J. Stauder in Fowler, Colorado, to feed with him, Bond outlined the arrangements at the working level:

"We have feeding accounts with several parties. They put in their time at \$50.00 per month and work the same as the hired men, and we furnish the sheep and the money to feed them with and give them 15 per cent of the profits, they stand no losses, in case there is a loss made." *Letter Book No. 55*, October 16, 1914, p. 509.

65. Bond estimated that it took about \$80,000 to pay for and feed 14,000 sheep. *Ibid.*, October 14, 1914, p. 486.

66. At one time Leavenworth suggested buying another 80 acres at Wood River which would be used to raise alfalfa, but nothing was ever done about it. *Letter Book No. 6*, March 16, 1910.

feeder wrote checks as necessary against an account replenished by Bond & Nohl, and these were charged to his feeding account.<sup>67</sup> In this way it was possible for Bond to know quite accurately what the feeder was or was not doing. An example of this type of management control is encountered in 1914 when Bond had sheep on feed with W. C. Scott. Observing the charges that were made to the feeding account, he noted that Scott was lagging in his feed purchases. Bond launched an incessant round of exhortations in an effort to get Scott to buy his feed. It proved such a source of aggravation that after Scott's account was closed in the spring Bond discontinued feeding with him for good even though the account netted over \$5,000 and Bond himself was quite satisfied with the showing.<sup>68</sup>

This was also the last winter of feeding with Leavenworth. His health had been worsening for some time and Bond was so concerned about the matter that he paid Russell's expenses and had him go visit Leavenworth on a pretext to see just how serious it was.<sup>69</sup> Frank was now determined to sell the Wood River ranch, for which he asked \$36,450,<sup>70</sup> but it was still on the books at the close of 1915.

The year-end balances of sheep on feed are outlined in Table 41, and the peak years of feeding are revealed to be 1908 and 1911. In 1908 Bond and Warshauer fed over \$100,000 worth of sheep with Leavenworth and slightly more with L. C. Butscher. The feeding partners in 1911, when the investment reached a peak of \$282,615, are not disclosed, but undoubtedly the major parts were handled by Leavenworth, Russell, and Scott. Since the feeding accounts represent not only the cost of sheep but also the feeding expense incurred, no attempt is made to interpret these investment data in terms of heads of sheep on hand.

On the mercantile side of Bond & Nohl, salaries accounted for the largest expense of the business, averaging between \$10,000 and \$14,000 a year. Based on the general salaries in

67. *Letter Book No. 55*, October 12, 1914, p. 456.

68. *Letter Book No. 58*, June 1, 1915, p. 353; *ibid.*, June 11, 1915, p. 461; *ibid.*, May 19, 1915, p. 186; *ibid.*, June 1, 1915, p. 336.

69. *Letter Book No. 56*, January 21, 1915, p. 561.

70. *Letter Book No. 50*, October 6, 1913; *Letter Book No. 51*, March 11, 1914, p. 423.

TABLE 41  
BOND & NOHL SHEEP FEEDING ACCOUNTS  
(even dollars)

End of Year	Amount
1906 .....	\$ 4,319
1907 .....	19,381
1908 .....	222,608
1909 .....	97,515
1910 .....	102,803
1911 .....	282,615
1912 .....	87,313
1913 .....	31,596
1914 .....	125,549
1915 .....	100,335

effect, this probably represented about ten or twelve employees. Salary levels are illustrated by that paid to Walter Connell in 1914 who was employed as a manager in Albuquerque at \$75 per month, the estimate for his stenographic help being \$25 per month.<sup>71</sup> In the same year, however, Bond indicated to J. H. McCarthy at Taos that \$100 per month was a fair salary for a bookkeeper.

Bond & Nohl kept a male stenographer in the office to take care of the voluminous correspondence necessary to the business as well as to serve Frank Bond. Clerks also were necessary in the store, and care was taken to see that one or two of them were natives.<sup>72</sup> In addition to a manager, bookkeeper, stenographer, and clerks, it was necessary to employ general handymen, warehouse clerks, laborers, and an assistant manager of sorts to handle collections, act as general foreman and trusted lieutenant. This latter position was occupied for many years by Leandro Martinez who left in 1913,<sup>73</sup> but he was replaced by John E. Davenport, whose father, Clarence E. Davenport, had been associated with the Bonds in the Forbes Wool Company in Trinidad and later with the G. W. Bond & Bro. Mercantile Company in Encino. This position was generally known as "outside man" and included the area of responsibility associated with inspecting sheep, buying

71. *Letter Book No. 53*, July 17, 1914, p. 382.

72. *Letter Book No. 57*, March 10, 1915, p. 319.

73. *Letter Book No. 50*, December 19, 1913, p. 599.

from the growers, receiving sheep, contracting for wool, and similar functions.

Employees were treated fairly, but by no means lavishly. In 1909 the stenographer was paid \$75 a month with the promise of more if he would learn Spanish. Bookkeepers and stenographers were usually recruited from out of town, but the prospective employee paid his own moving expenses.<sup>74</sup> Hours were long for the store employees, the store usually being open six days a week and closing at ten o'clock in the evening.<sup>75</sup>

The Bond secretaries undoubtedly earned their salaries in full for Frank Bond was a prolific correspondent and likewise expected others to be. He maintained a strict policy of answering letters promptly, and the following quotations make his position on the matter perfectly clear:

When I write you about any matter requiring an answer I expect you to sit down and answer that letter that same evening of the day you receive the letter, so that I will get an answer promptly. It takes no longer to answer it . . . than it does a week or ten days from then. . . . Every letter we get is answered in the very next mail and if we are going to continue to do business together, I surely want you to adopt this as one of your rules, as there is nothing more annoying to me than to have a man fail to answer my letters promptly, in fact rather than continually be annoyed this way, I would stop doing business with him.<sup>76</sup>

and again:

If [business letters] are not answered immediately, it shows that the party receiving them is very sloppy in his methods of doing business. If a man is in business and is too sick to answer letters he should have one of his men answer them. If you had no intention of answering my letters, I surely intended to get in touch with somebody who would, even if I had to hire him. There is nothing this side of heaven or hell that annoys me more than to have a man fail to answer a letter in which I have asked him for a little information that would take him less than two minutes to write me. You say you have done the

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74. *Letter Book No. 6*, August 31, 1909.

75. Interview with John F. McCarthy.

76. *Letter Book No. 56*, January 20, 1915, p. 540.

best you could under the circumstances. I want to say to you that if I should get a business letter from you, a letter asking for information, no matter how sick I was somebody would answer that letter in the next mail or that somebody would be very sorry he had not attended to it. . . . I certainly hope that you will sit down and answer my letters the day you get them provided they require an answer. . . . I presume you will regard this as a very mean letter, it is not however I assure you I merely wish to impress on you that you have annoyed me very much. Why add to my burdens? I have at times tried to lighten yours, and you know that mine is not a path of roses. I have a whole lot on my mind all the time. Understand that I am always your friend and always will be if you will allow me to be.<sup>77</sup>

That Frank Bond practiced his own philosophy is clear. Whenever he was absent on a trip, which was frequently, Louis Nohl replied to all correspondence received. If it was a matter upon which Nohl was not in a position to act, the letter was answered anyway, advising the correspondent that Bond was out of town and that his letter would be handed to him upon his return. Office correspondence was in all cases promptly attended to, and Nohl even worked on Christmas Day, 1914, writing seven letters. Bond was equally energetic and once, after a six-week absence in California, he had caught up on all his mail the day after his return.<sup>78</sup>

Selection of responsible personnel was made very carefully. In considering one candidate for employment, Frank Bond asked A. H. Long:

What do you know about [him]? How does he impress you? Is he honest? Does he speak Spanish? Would you want him for an outside man? Would you consider him so valuable that you would be willing to give him an interest in the business in order to get him? Does he drink? How old is he? Is he a worker? Has he got any money of his own? Is he moral? Is he married? Is he healthy? Of ordinary intelligence? Know something about stock? Experience in trading? Can we absolutely trust him? Is he interested in making good?<sup>79</sup>

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77. *Ibid.*, p. 542.

78. *Ibid.*, December 25, 1914, p. 369; *Letter Book No. 57*, April 6, 1915, p. 537; *Letter Book No. 58*, *passim*.

79. *Letter Book No. 58*, May 25, 1915, p. 287.



George Bond was a teetotaler himself and was opposed to drinking by others. Consequently, Frank Bond always checked out a prospect's drinking habits even though he didn't feel as strongly about the matter. Frank did, however, depend almost entirely on the results of his own inquiries as he felt that in general letters of recommendation were cheap with most men. On the other hand, his references were entirely honest and candid. If the individual deserved a good reference, he got one.<sup>80</sup> If not, the following example illustrates:

He may have reformed, but we would not do business with him again under any circumstances, nor would we care to wish him on our worst enemy. Unless he has reformed, his business is women, wine, and cards; on the side buys a few sheep and cattle with some unfortunate's money.<sup>81</sup>

Bond was ever interested in affording opportunities for deserving men to enter the organization, and although the managers' salaries were usually small in relation to those of the other employees, he felt that the salaries were not supposed to be of any great importance, expecting them to make their money out of the profits of the business.<sup>82</sup> Quite beyond the obvious advantage of acquiring an interest in a business, the managers were permitted to maintain large personal accounts with the company completely interest-free.<sup>83</sup> Nohl's account, for instance, started at a modest \$1,800 and grew steadily so that by the end of 1915 it had swelled to more than \$30,000.<sup>84</sup>

At the suggestion of George Bond in 1914, the matter of bonding the company employees was introduced for the first time, and a decision was made to bond the bookkeepers of all the stores for \$25,000 each.<sup>85</sup> This practice was adopted, but the bookkeeper in Taos objected to being bonded. The reaction was swift. Frank Bond wrote McCarthy:

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80. *Letter Book No. 55*, October 17, 1914, p. 525.

81. *Letter Book No. 59*, July 30, 1915, p. 269.

82. *Letter Book No. 53*, June 14, 1915, p. 529.

83. *Letter Book No. 50*, October 16, 1913, p. 83.

84. *Records*, loc. cit.

85. *Letter Book No. 53*, August 21, 1914, p. 685.

If he doesn't want to give a bond just simply fire him and tell him that I said so, and I want you to do it right quick. An honest man should not hesitate to be under bond, seeing that we are paying for the bond, and the fact that he doesn't seem to want to give a bond, does not look good to me.<sup>86</sup>

In addition to the expenses just discussed, there appeared other important expense items in 1911 and 1912 when \$15,000 and \$20,000 were charged off to cover losses of the Espanola Milling and Elevator Company.<sup>87</sup> These write-offs account for the sharp drop in net profits for those years which may be observed in Table 42, and a poor year for sheep and wool is largely responsible for the depressed profit in 1913.

As might be expected in a business of this type, receivables were high. In contrast to the stores where sheep and wool were combined with the mercantile business, Bond & Nohl held the heaviest investment in personal accounts, with bills receivable considerably lower. These are shown in Table 43. Personal accounts were conservatively valued for statement presentation at 85 or 90 per cent of good value, although after 1909 it was the general practice to deduct only those accounts actually expected to be uncollectible. While these were always considerably below 10 per cent, the actual loss experience was so small as to make even these valuations highly conservative.

TABLE 43  
BOND & NOHL MAJOR RECEIVABLES

(dollars in thousands)

Year	Bills Receivable	Personal Accounts (Gross)
1906	\$ 3.3	\$40.4
1907	29.0	42.2
1908	15.4	51.0
1909	20.7	36.9
1910	19.1	45.4
1911	16.3	56.1
1912	13.4	62.1
1913	13.2	52.7
1914	31.9	52.1
1915	9.8	56.9

86. *Letter Book No. 55*, September 7, 1914, p. 142.

87. *Infra*, chap. xi.

TABLE 42  
BOND & NOHL PROFIT SUMMARY  
(dollars in thousands)

Year	Gross Profit on Sheep	Gross Profit on Wool	Gross Profit on Merchandise	Other Profits <sup>a</sup>	Total Gross Profit	Total Expense	Net Profit to Surplus
1906	\$ 8.1	\$0.0	\$27.3	\$1.2	\$36.6	\$18.1	\$18.5
1907	6.8	.0	31.3	3.3	41.4	25.3	16.1
1908	2.6	.0	21.3	3.2	27.1	14.4	12.7
1909	14.1	7.0	22.4	3.8	47.3	17.9	29.4
1910	6.9	1.9	25.4	4.9	39.1	18.7	20.4
1911	(2.7)	2.9	28.1	5.7	34.0	30.6	3.4
1912	11.1	6.4	27.3	3.6	48.4	40.2	8.2
1913	4.7	.0	27.8	3.5	36.0	27.4	8.6
1914	3.9	.4	33.6	9.9	47.8	34.8	13.0
1915	7.1	4.3	22.7	5.3	39.4	27.6	11.8

<sup>a</sup> Includes hides and pelts, discounts earned, and collection of old accounts written off.

Through 1913 the Real Estate investment of Bond & Nohl was slightly over \$14,000. However, on May 25, 1914, the entire store and contents burned to the ground. Always great believers in insurance, Bond formerly had carried only 75 per cent coverage, but since the insurance company had allowed him to carry full insurance, this had been done.<sup>88</sup> As a result, the fire loss to the business was very small as illustrated by Table 44.

TABLE 44  
BOND & NOHL FIRE, MAY 25, 1914

Item	Value at Time of Fire	Claim Paid <sup>a</sup>	Loss
Stock	\$40,000	\$38,000	\$2,000
Building	10,000	10,000	0
Furniture & Fixtures	4,500	3,500	1,000
Total	\$54,500	\$51,500	\$3,000

a. By the Liverpool & London & Globe Insurance Company.

Bond immediately made plans for reconstruction, anticipating a new building with steam heat, electric lights, water, and inside toilets. The new store was to be truly worthy of the competition springing up in Espanola, for there were at least six new ones in progress at that time. The new building contract was let to F. W. Schnauffer, and by the latter part of August construction was actually under way; the dry goods and shoe departments moved into the new building on November 1, 1914. This new edifice on the Espanola scene was of concrete and measured 125 feet wide by 95 feet long. There were three large rooms, one behind the other; the middle room was 35 feet deep and 125 feet wide and the other two were about 25 feet deep and of the same width. Although the building had a fifteen-foot ceiling, the front and rear rooms had fourteen-foot ceilings. In the store section there were three dark oak counters measuring 28 inches wide and 37½ feet long, covered with linoleum. Frank Bond ordered a knocked-down dressing room for the furnishings department, but he had some difficulty with it upon arrival due to the fact that it was designed for corner installation and there was no corner for it. There was an engine and boiler house complete

88. *Letter Book No. 53*, June 23, 1914, p. 99; *ibid.*, June 29, 1914, p. 170.

with a five kilowatt, 115-volt, direct current Fairbanks-Morse dynamo for operating the new electric lights, and a boiler to operate the steam radiators in the building. A coal house was provided to store the coal which was bought by the carload and used by the carload too for that matter. In the winter of 1914-1915 a forty-ton car of coal lasted less than two months.<sup>89</sup>

A number of other assets appeared briefly on the books of Bond & Nohl from time to time, reflecting the varied activities of the home store. Frequently, of course, these represented personal investments of Frank Bond rather than of the mercantile store, it frequently being the vehicle for carrying out his own business transactions. In 1907, for instance, almost \$11,000 was shown as a receivable from Fred Warschauer. Commencing in 1908 and continuing through 1913 a small account was carried for the Espanola Bridge. No explanation of this \$1,000 item has been found. Similarly, somewhat less than \$1,000 was invested in 1907 in the camp house and scale at Servilleta and maintained continuously throughout the period. In addition, about \$3,500 was invested in a sheep dipping plant in Espanola in 1911, along with the necessary corrals. There was a small school warrant account, and a windmill.<sup>90</sup>

Some of these extraneous items on the books are minor in amount and transitory in nature, and the usage of the accounts appears to have varied considerably from year to year.

All the sheep trading and feeding in addition to the mercantile business would, of course, have severely taxed the company had not George and Frank Bond provided considerable financial support. A considerable part of this financial strength was derived from the undivided profits. With a minor exception in 1914,<sup>91</sup> the net profits were returned to surplus every year.<sup>92</sup> Together with the sums contributed by

89. *Letter Book No. 53*, June 15, 1914; *Letter Book No. 55*, August 28, 1914, p. 53; *ibid.*, November 1, 1914, p. 643; *ibid.*, p. 680; *Letter Book No. 56*, November 14, 1914, p. 54; *ibid.*, December 2, 1914, p. 188; *ibid.*, February 6, 1915, p. 698; *Letter Book No. 58*, June 7, 1915, p. 454; *ibid.*, June 27, 1915, p. 630; *Letter Book No. 59*, September 1, 1915, p. 576; *ibid.*, September 4, 1915, p. 622.

90. *Records, loc. cit.*

91. There was a withdrawal of \$4,700 in 1914.

92. Cf., Tables 42 and 45.

the Bonds separately and apart from the capital stock they provide an explanation of how such heavy investments could be carried by a general mercantile store without seriously endangering its financial position. These totals are shown in Table 45.

Although Louis Nohl was manager of the Espanola store and was directly responsible for making it show a profit much in the same manner as were the other store managers, he was in close proximity to Frank Bond's strong influence and no doubt this business was operated more in consonance with the Bond philosophy than any other.

Several merchandising points followed by Bond & Nohl are therefore noteworthy, and it is of interest to discover that various means were utilized to deliver items to customers in the commerce of the day. There is no indication that any local delivery of items was carried on within the Espanola area, but some pains were taken to get commodities to out-of-town

TABLE 45  
BOND & NOHL CAPITAL  
(dollars in thousands)

Year	Capital Stock	Undivided Profits	Due G. W. or Frank Bond	Total
1906	\$50.0	\$ 18.5	\$ 39.3	\$107.8
1907	50.0	34.6	65.0	149.6
1908	50.0	47.3	254.8	352.1
1909	50.0	76.7	150.4	277.1
1910	50.0	97.1	137.0	284.1
1911	50.0	100.5	318.7	469.2
1912	50.0	108.7	111.5	270.2
1913	50.0	117.3	31.0	198.3
1914	50.0	125.6	36.2	211.8
1915	50.0	137.4	26.0	213.4

customers. At least one case is on record where a lady in Buckman received her regular supply of butter by the simple expedient of having the train conductor deliver it to her. Following a more modern merchandising trend, an order was placed in May, 1915, on the Hinkle-Leadstone Company in Chicago for 500 premium catalogues and a supply of coupons

and certificates, both in English and in Spanish. The inscription on the back of the catalogue is the only instance of advertising by Bond & Nohl that has been observed.<sup>93</sup> The A. MacArthur Company in Wagon Mound is known to have advertised in the local newspaper, *El Combate*, but this was a Spanish language advertisement. Since Bond & Nohl ordered their catalogues furnished in both languages, the back was probably printed in Spanish on those copies also. The wording provides us with an excellent description of the Bond & Nohl business, but with no mention of sheep and wool. It is quoted below essentially in the form in which it was ordered:

BOND AND NOHL CO.

Dry Goods, Wedding Outfits, Hosiery, Shoes, Men's Furnishings  
Agricultural Implements and Wagons  
Buggies.

Also a Full Line of the Best Groceries and Flour

Our Specialties

Bain Wagons, McCormick & Deering Mowers and Rakes  
Lion Special Hats, Red Goose School Shoes

Espanola, N. M.

With the usual note of caution, an inquiry was also dispatched to R. G. Dun and Company for information about the Hinkle-Leadstone Company in order to be sure the premium plan was legitimate. Whether or not the premium plan was ever put into effect and if so, with what effect, is not disclosed.

The Bond & Nohl store was not only an important subsistence center but also a clearing house for diverse, unrelated community functions. The Espanola post office was located at the store, and Frank Bond was the postmaster.<sup>94</sup> This fact alone would have made the Bond & Nohl premises a focus of community interest, but it is doubtful that Frank or George Bond permitted a great deal of social intercourse of the proverbial cracker-barrel variety in the store. How-

93. *Letter Book No. 55*, September 29, 1914, p. 323; *Letter Book No. 58*, May 28, 1915, p. 311.

94. Frank Bond was appointed postmaster at Espanola on August 18, 1887. Certificate of appointment, September 28, 1887, Bond Papers, *loc. cit.*

ever, a number of personal and civic functions were certainly performed for their customers and for the community. George Bond, Frank Bond, and A. MacArthur all spoke fluent French as well as Spanish, and they tried to find stenographers who understood both English and Spanish.<sup>95</sup> As a result they were called upon to act as interpreters and to write letters in English for those who spoke only Spanish.<sup>96</sup> For those who didn't know how to handle claims with insurance companies they drew drafts through their own accounts; they recruited shepherders, made claims for pensions, helped renters apply for grazing permits, and even found a house for a Taos professor to rent in Espanola.<sup>97</sup> There being no newspaper in Espanola, public notices were posted at the store, and on at least one occasion when a sheep feeder in Colorado needed some men for a month's employment, Bond recruited them through such notices, arranged for their transportation, collected the fare from the feeder, and charged nothing for the service.<sup>98</sup> Another time he even arranged to advance twenty-five dollars a month to a Wyoming man's estranged wife who lived in Espanola.<sup>99</sup>

In June, 1914, two thugs attacked Earl Cochran, a night watchman at the store, beat him over the head with a six-shooter, and left him for dead. They were caught near Dixon, New Mexico, and returned to the state penitentiary at Santa Fe. Bond retained the Santa Fe law firm of Renahan and Wright to prosecute the outlaws; and although he felt it was important to see that justice was done, Bond's inherent aversion to legal unpleasantness prompted him to arrange for his deposition to be submitted to the court rather than answer a subpoena to testify in person.<sup>100</sup> At about the same time Bond made a complaint about a gambling table that was

95. Interview with Stuart MacArthur, *loc. cit.*; *Letter Book No. 57*, March 31, 1915, p. 492. No doubt other managers also spoke Spanish.

96. *Letter Book No. 59*, July 20, 1915, p. 183.

97. *Letter Book No. 57*, April 12, 1915, p. 594; *Letter Book No. 58*, May 11, 1915, p. 113; *ibid.*, May 19, 1915, p. 181; *ibid.*, June 2, 1915, p. 376; *Letter Book No. 59*, August 8, 1915, p. 312.

98. *Letter Book No. 58*, April 30, 1915, p. 11; *ibid.*, May 6, 1915, p. 61; *ibid.*, May 20, 1915, p. 205.

99. *Letter Book No. 59*, August 23, 1915, p. 464.

100. *Letter Book No. 53*, June 22, 1914, p. 97; *ibid.*, June 24, 1914, p. 111; *ibid.*, July 1, 1914, p. 208; *Letter Book No. 58*, June 2, 1915, p. 363.



being operated in a local saloon, taking care not to become implicated himself.<sup>101</sup>

Bond & Nohl's activities, then, covered the broad front of merchandising, commodity speculation, hides, pelts, wool, sheep, feeder lambs, feed lot operation, and community service. Frank Bond's propinquity, of course, permitted him to influence the company's activities in many ways and also to utilize it for the administration of his projects or for a medium of financial support. When this was done, however, it redounded to Frank Bond's financial detriment because any profits realized from activities carried by Bond & Nohl were shared with the other stockholders whereas those which were on his personal books were not. There is no evidence whatsoever that he at any time tried to avoid this consequence.

In many ways Bond & Nohl was a continuation of the original G. W. Bond & Bro. partnership, Louis Nohl assuming much of the routine management responsibility and thus freeing Bond to devote more of his time to sheep renting as well as to the financial and organizational problems associated with his expanding sphere of interest which, in addition to sheep and wool, had begun to include investments, land management, and even lumbering.

### *7. An Adventure in Lumbering*

Born in 1864, C. L. Pollard came to Antonito, Colorado, in 1887 at the age of twenty-three as a telegraph operator for the Denver and Rio Grande Railroad, later moving successively to Del Norte, Cumbres, Embudo, and Chama. In 1902 he settled in Espanola, New Mexico, and with two other partners founded the firm of Biggs, Pollard, and Graves.<sup>1</sup> The partnership was short-lived, and the following year, 1903, the firm became the C. L. Pollard Company, general store and dealers in lumber, building material, and fruit boxes.<sup>2</sup>

The exact date that Frank Bond became associated with Pollard cannot be established, but it undoubtedly occurred in

101. *Letter Book No. 57*, February 25, 1915, p. 212.

1. Interview with Rowland C. Pollard, Albuquerque, 1956.

2. Interview with W. P. Cook, Espanola, June 1, 1957.

January or February of 1903, coincidental with the dropping out of Biggs and Graves. In addition to dealing in merchandise and lumber, Pollard was active in the wool business, and it was through these wool dealings that the Bond-Pollard association began—a stormy relationship that eventually took Frank Bond into lumbering operations and court litigation that lasted until July 27, 1925.<sup>3</sup> Bond described Pollard as “a very peculiar man, rather an unknown quantity, not well balanced, extremely bull-headed. He would prefer to have his own way and lose money rather than let the other fellow have his way, and by so doing make some money.”<sup>4</sup>

Frank Bond joined Pollard under unusual circumstances. He usually went into business with men who had earned his respect through a demonstration of the way in which they could handle business; in this case the opposite circumstance prevailed. Pollard had been actually doing his wool business at a loss, and being an aggressive individual willing to operate without a profit, he was able to force the Bonds into sacrificing their profits.<sup>5</sup> Bond probably recognized a worthy opponent when he saw one and reasoned that it would be better to have him on the same side of the fence. However, the entire relationship with Pollard was maintained with the highest degree of secrecy. Bond's interest was not disclosed to Dun or Bradstreet, care was taken that other wool men did not know that Bond was working with Pollard,<sup>6</sup> and when it became necessary to have a new stock certificate book printed he even went so far as to have the printing handled through the First National Bank in Santa Fe so that the Bond connection might not be revealed.<sup>7</sup>

The capital stock of the company was \$38,000, but only 32,000 shares were issued, and there is evidence to indicate that the original holdings were 4,000 shares for C. L. Pollard and 28,000 shares for G. W. Bond & Bro., Espanola. It also appears that Pollard's interest was obtained by giving a note

3. Capital Stock Tax Reports, Bond Papers, *loc. cit.*

4. *Letter Book No. 6*, May 5, 1905.

5. *Ibid.*

6. “This is confidential, as if our wool men knew that we were buying Pollard's wool, it would hurt us both with the trade.” *Ibid.*, June 7, 1903.

7. *Ibid.*, February 20, 1909.

for \$5,000 to the First National Bank in Santa Fe which was endorsed by Bond.<sup>8</sup>

The year 1903 was a busy one, events affecting and affected by Pollard occurring rapidly. On February 7, 1903, Frank Bond and his wife, May Anna, bought the Santo Tomas Apostol del Rio de las Trampas Grant. This property, commonly referred to as the Trampas Grant, had been granted by Spain to Juan D. Arguello and confirmed by Congress on June 21, 1860.<sup>9</sup> The grant comprised 27,481 acres as officially surveyed by the Surveyor General of the United States,<sup>10</sup> and was patented January 26, 1903. The grant included about seven small villages and it was partly in Taos County and partly in Rio Arriba County, located about twelve miles east of the Denver and Rio Grande Railroad siding at Lajoya, southeast of Embudo Station, and north of Santa Fe.<sup>11</sup> Contiguous grant lands were the Santa Barbara on the east and the Las Truchas on the south.<sup>12</sup>

The actual investment by Frank Bond in this property was \$17,857.83, and later additions to the investment resulted in accumulated costs as shown in Table 46.

TABLE 46  
TRAMPAS GRANT INVESTMENT

Year	Amount
1903 .....	\$17,857.83
1904 .....	24,803.06
1905 .....	24,098.88
1906 .....	24,207.66
1907 .....	14,811.14
1912 .....	106.99 <sup>a</sup>
1913 .....	20,000.00

<sup>a</sup> Expense

The ink was hardly dry on his purchase when Bond was offered a profit of \$10,000 if he would sell the grant. He refused, but commented: "I never had anything I wouldn't sell,

8. *Ibid.*, February 27, 1903.

9. *Records, loc. cit.*

10. Charles F. Coan, however, reports the acreage of this grant as 29,030 acres—14,965 acres in Rio Arriba County and 14,065 in Taos County. Coan, *op. cit.*, pp. 474-475.

11. *Records, loc. cit.*

12. U. S., Department of the Interior, G.L.O., *Map of Territory of New Mexico*, 1903.

so they may induce me to part with it.”<sup>13</sup> There is little doubt but that he lived to regret keeping the grant.

During this same month of what must have been a frantic February, Bond also expressed an interest in buying the Santa Barbara Grant which lay just to the east of the Trampas. Nothing ever came of this thought, but two months later he was still thinking about it.<sup>14</sup>

In March, Frank Bond put the Trampas Grant on the market, however. While he opined that it was worth more than \$1.50 per acre, he felt that the best trade could be made by selling it to the United States for scrip, which was selling for \$5.50 in Colorado.<sup>15</sup> He approached the U. S. Land Commissioner in Santa Fe and also wrote to the Land Office in Washington on the matter, but nothing developed.<sup>16</sup>

Before the spring was out, there had been formed a new and short-lived firm which was organized for a lumbering operation and called the Bond and Jones Company. Whether the Bond and Jones Company ever shipped any lumber is doubtful, and by August Bond was sorry he had tried it.<sup>17</sup> It was never heard from again.

During this time the C. L. Pollard Company invested \$5,000 in the Truchas Lumber Company which operated a lumber mill about 5 miles north of Truchas,<sup>18</sup> and the company began to show signs of being in trouble. There was a merchandise investment of less than \$15,000 and \$10,000 of it had not been paid for, with \$3,300 of the debt being to G. W. Bond & Bro., Espanola. There was a bank overdraft of \$218.67, and in addition to the \$5,000 capital investment in the Truchas Lumber Company there were receivables on the Pollard books from Truchas amounting to almost \$14,000. Bond promptly arranged with R. J. Palen for the Santa Fe

13. *Letter Book No. 6*, February 20, 1903.

14. *Ibid.*, February 23, 1903; *ibid.*, April 17, 1903.

15. *Ibid.*, March 25, 1903.

16. *Ibid.*, March 5, 1903; *ibid.*, April 17, 1903.

17. *Ibid.*, June 8, 1903; *ibid.*, n.d., p. 51.

18. Interview with R. C. Pollard.

The town of Truchas was about sixteen miles east of Espanola on the Sendra del Rosario Grant. The mill itself, however, seems to have actually been on the Las Truchas Grant just to the north. U.S., Department of the Interior, G.L.O., *Map of Territory of New Mexico*, 1903.

bank to advance Pollard \$5,000 in order to pay some of the accounts payable,<sup>19</sup> suggesting that the other creditors be paid first and then G. W. Bond & Bro. when they were in better shape. Bond advised that they try to operate on as nearly a cash basis as possible, discounting every invoice, and asked Pollard to stay up at the mill. He pointed out that the Truchas Lumber Company receivables had to be reduced or he would be forced to move in and take it over himself, even at the risk of exposing their interest to public view.<sup>20</sup> Shortly thereafter, Brady, who with B. F. Bookhamer was a partner in the mill, decided to sell his interest in the Truchas Lumber Company for \$3,500, and Pollard bought it by prevailing on Frank Bond to endorse his personal note for \$2,000 in order to do it.<sup>21</sup>

Financial priming of the lumber business now began in earnest. In December the \$5,000 Pollard note became due and could not be paid; in addition the Truchas Lumber Company needed \$5,000, so Bond underwrote the necessary \$10,000 with the bank in Santa Fe.<sup>22</sup> In February, 1904, Pollard had again overdrawn his account, and Bond asked the bank to keep him advised of Pollard's activities, at the same time arranging for the overdraft to be covered with a note. Less than two weeks later, Bond again had to get the Truchas company out of trouble by guaranteeing a \$14,000 advance by the bank. In early March \$2,500 more went the same way and in addition Bond had to endorse a \$1,000 note of the Truchas Lumber Company held by B. F. Bookhamer, the other remaining investor in the company after Brady left. In less than a week Pollard had again overdrawn his accounts, and Bond had to endorse a \$6,500 note for the Truchas Lumber Company and a \$2,500 note for the C. L. Pollard Company to cover the overdrafts. This drew unmistakable fire from Bond, but a week later he had to give the bank \$6,700 more so that Pollard could pay his bills.<sup>23</sup>

19. *Letter Book No. 6*, October 5, 1903.

20. *Ibid.*, n.d., p. 51; *ibid.*, October 19, 1903.

21. *Ibid.*, November 3, 1903; *ibid.*, November 4, 1903.

22. *Ibid.*, December 9, 1903.

23. *Ibid.*, February 2, 1904; *ibid.*, February 13, 1904; *ibid.*, March 8, 1904; *ibid.*, March 9, 1904; *ibid.*, March 12, 1904; *ibid.*, March 15, 1904.

In June \$10,000 in notes of the Pollard Company and the Truchas Company came due, couldn't be paid, and Bond was forced to get them extended; in August he had to extend notes in the amount of \$23,000 which Pollard couldn't meet.<sup>24</sup>

By this time the Bond investment in the Truchas Lumber Company had climbed to \$60,000, and Frank Bond was more than just a little annoyed, for Pollard had gone in with two men named Brooks and Thompson in a venture to make railroad ties—probably without Bond's concurrence for he did not approve of Thompson at all.<sup>25</sup>

With tongue in cheek, Bond requested Pollard to make up a statement and to make it appear as bad as possible so that it wouldn't be as bad as it looked,<sup>26</sup> and then in an effort to prevent further losses due to the loose credit policy, Bond had Pollard send a letter to each of his customers asking them to pay their accounts.

Despite the difficulty involved in keeping the Pollard and Truchas businesses on a sound financial footing, the profit showing for 1904 was fairly satisfactory,<sup>27</sup> and in May of the following year an agreement was signed which provided that so long as the Bonds controlled the C. L. Pollard Company and so long as C. L. Pollard was general manager and continued to hold 4,000 shares of stock, these 4,000 shares would be entitled to receive one-third of the net profits although they only represented one-eighth of the outstanding shares.<sup>28</sup> Although profit-sharing was a common practice in the Bond system, this was a peculiar arrangement. The impatient tenor of Frank Bond's correspondence with Pollard bearing overtones of discord, only serves to deepen the mystery of this generous contract.

In view of a new law requiring that the names of the officers and directors be filed with the Secretary of State after each annual meeting, and on account of their desire to maintain the esoteric nature of their association with Pollard, a

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24. *Ibid.*, June 8, 1904; *ibid.*, August 15, 1904; *ibid.*, August 16, 1904; *ibid.*, August 17, 1904.

25. *Ibid.*, August 15, 1904; *ibid.*, August 16, 1904.

26. *Ibid.*, August 15, 1904.

27. However, actual figures are not available.

28. *Letter Book No. 6*, May 5, 1905.

problem arose because three officers were necessary and two of the three stockholders were Bonds. Obviously a report under these circumstances would divulge the combination. So perhaps because of this or perhaps through the normal progress of the business, F. R. Frankenburger, who had been in charge of the lumber mill commissary,<sup>29</sup> was brought into the company holding 2,000 shares of stock. He undoubtedly already knew of the Bond's interest in the business. One additional stockholder was necessary; and since R. J. Palen of the First National Bank in Santa Fe had for a long time been a confidant of Frank Bond and knew all about the arrangement, he was issued one share of stock and made vice-president. C. L. Pollard was president, and Frankenburger was secretary-treasurer.<sup>30</sup> In this way the Bond stockholdings were completely concealed.

The absence of correspondence with the Pollard and Truchas companies from May, 1905, to September, 1907, is probably more indicative of records having been lost than it is of the sudden cessation of problems. That credit policies were still worrisome is indicated by Frank Bond's caution to Pollard at that time to beware of Miss Clara True who owed \$1,500 to Pollard and his advice to secure it with a mortgage on the Daganett Ranch. However, Bond at the same time indicated that the mill was no longer operating at a loss.<sup>31</sup>

On June 20, 1907, the Trampas Grant was sold to the Las Trampas Lumber Company, a corporation organized on June 11, 1907, for the purpose of buying the grant.<sup>32</sup> The selling price is unknown, as are the original stockholders of the company, but a mill was set up at Trampas, New Mexico, for the production of railroad ties, poles, piling, and lumber.<sup>33</sup> Certain covenants of reservation in the title, however, led to litigation which some years later brought the Trampas Grant back to the Bond bailiwick.

With the Trampas Grant out of the way, the C. L. Pollard Company continued its lumber and merchandise business

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29. Interview with J. E. Davenport.

30. *Letter Book No. 6*, May 5, 1905.

31. *Ibid.*, September 17, 1907.

32. Tax Return, Bond Papers, *loc. cit.*

33. *Records, loc. cit.*

unencumbered, but by March of the following year, 1908, difficulties with C. L. Pollard reached their peak, resulting in one of Frank Bond's explosions which, though rare, were usually as violent as they were justified. Pollard had become indebted to the company fairly heavily on his drawing account. He also owned the Herrera Building which, as a result of a conversation with Frank Bond, he applied on his note. Bond had suggested that he might do this. However, Pollard must have sold it to the company for an exorbitant price for Bond accused him of either not knowing right from wrong or of intentionally trying to take an undue advantage. He pointed out that Pollard had bought the building originally with company money without consulting the Bonds, and having done this in a period of deficit had therefore effectively used capital funds to buy it for himself. In suggesting that Pollard apply the building on his account or on his note, nothing was said about the price, but Frank Bond supposed that "a man of your intelligence and fair-mindedness would certainly do the right thing which was to turn it over at cost less whatever rent has been collected on it."<sup>34</sup> He said that they certainly did not want the building but did want the cash back that Pollard took out of the business to buy it with and that he would accept the building on no other terms. Otherwise, Pollard could keep the building and pay his debts plus interest on the money. "Furthermore," he wrote, "as you are having to play at high-handed finance we must ask you to at once protect us on the note you owe us for \$7,000."<sup>35</sup> He asked Pollard to hypothecate enough of his insurance policies to do this and then demanded that he confine his living expenses to his salary and discontinue drawing money out, asserting that if the Bonds did that the company would be bankrupt. Bond directed Pollard to discontinue all logging for good and to confine himself exclusively to the mercantile business. He concluded his screed by saying: "We will have no friction in business, things must run smoothly, and our policy must be the one which will govern the business from now on."<sup>36</sup>

34. *Letter Book No. 6*, March 1, 1908.

35. *Ibid.*

36. *Ibid.*



Proving that he meant business, Frank Bond notified R. J. Palen to give Pollard no more credit, and shortly afterwards he refused to guarantee a \$5,000 note.<sup>37</sup> Amidst this, Bond in writing to E. H. Leavenworth in Wood River, Nebraska, said that the G. W. Bond & Bro. Company had suffered a severe loss, a loss too big to advertise, and that he had had a severe jolt to his faith in human nature, adding that although he thought people were honest, he was sometimes wrong.<sup>38</sup>

Two months later Bond endorsed a \$5,000 note for Pollard.

In January, 1909, Frank Bond found that the credit policies still left something to be desired, and he found it necessary to make an independent inquiry into a matter concerning a customer who had received \$1,200 worth of lumber on credit.<sup>39</sup> On March 1, without Bond's concurrence, a large shipment of lumber was sent to McPhee and McGinnity, Denver lumber dealers. This sale was made on credit, the account not to be paid until July 1 at which time they could either take another sixty days or take a 2 per cent discount. This arrangement prevented the payment of notes due to the Santa Fe bank, and in addition Pollard owed the Bonds more than \$5,000.<sup>40</sup>

Frank Bond was now finally at the end of his patience.

Therefore, on March 1, 1909, Pollard received \$1,000 for his share in the business and forthwith left the company.<sup>41</sup> Milo Hill was brought into the company as secretary and treasurer, and Frankenburger was made president and general manager. In addition, Louis F. Nohl was given \$2,000 worth of stock so he could work with Frankenburger. It heretofore had not been possible for Nohl to have anything to do with the company because Nohl and Pollard were so unfriendly they couldn't even talk business with each other.<sup>42</sup>

Sometime between March 1, 1909, and the end of 1910 the C. L. Pollard Company was re-christened. It was from then

37. *Ibid.*, March 2, 1908; *ibid.*, March 21, 1908.

38. *Ibid.*, March 2, 1908.

39. *Ibid.*, January 13, 1909.

40. *Ibid.*, March 25, 1909; *ibid.*, March 1, 1909; *ibid.*, January 13, 1909.

41. *Ibid.*, March 24, 1909.

42. *Ibid.*, January 15, 1909; *ibid.*, February 23, 1909.

on called the Espanola Mercantile Company, but any connection between it and the Bonds or Bond & Nohl was still a guarded secret.<sup>43</sup> In fact, in Frank Bond's accounts it was always referred to as "Investment No. 5" without any further identification. Similarly, the statements of the Espanola Mercantile Company which were submitted to Bond were typed on blank sheets of paper with any identification of the company being carefully omitted. This presumably prevented all the office help and others who might see the statements from knowing that a connection existed between Bond & Nohl and the Espanola Mercantile Company, ostensibly competitors.<sup>44</sup> However, whenever Bond & Nohl received an order they couldn't fill, it was turned over to the Espanola Mercantile Company, so there must have been some communication between the two stores.<sup>45</sup>

The company, with Pollard out, engaged in no further lumbering work, and at the end of 1915 it was still operating under the control of Frank Bond. The ultimate disposition of its investment in the Truchas Lumber Company is unknown, but the accounts at the end of October 1912, give no indication of such an investment so the interest in this company was probably disposed of during the reorganization. Bond was undoubtedly weary of lumber and probably let it go without any sense of loss whatsoever.

Sales of the C. L. Pollard Company and the Espanola Mercantile Company distinctly reflect the change in organization. From Table 47 it can be seen that the credit policy was immediately tightened so that credit sales dropped sharply after 1909 and thenceforth always remained less than the cash sales for the same period.

The Espanola Mercantile Company occupied a one-story, metal-roofed, iron-clad frame and adobe building in Espanola, probably of very ordinary aspect. This was not, however, the only business property owned by the firm. The company also owned a one-story adobe building measuring thirty-two feet

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43. *Ibid.*, September 5, 1910.

44. The statements are completely unidentified, but proof that they are actually Espanola Mercantile Co. statements has been established by tracing certain account balances to identifiable amounts from other sources.

45. *Letter Book No. 50*, October 20, 1913, p. 134.

TABLE 47

## ESPANOLA MERCANTILE (C. L. POLLARD) COMPANY SALES

(dollars in thousands)

Year	Cash Sales	Credit Sales	Total
1904	\$29.6	\$34.3	\$63.9
1905	40.2	55.4	95.6
1906	35.9	49.9	85.8
1907	36.5	49.1	85.6
1908	30.1	33.1	63.2
1909	33.3	30.1	63.4
1910	36.7	21.1	57.8
1911	33.6	28.4	62.0
1912	31.8	31.4	63.2
1913	34.5	24.6	59.1
1914	33.1	27.6	60.7
1915	37.0	23.3	60.3

wide and eighty-two feet long, located about 100 feet west of the railroad tracks. This building was, curiously enough, occupied by a saloon—probably the last thing the Espanola citizenry would have connected with Frank Bond.<sup>46</sup>

At the end of 1912 the profit and loss account balance was \$14,146 and by the end of 1915 it stood at \$23,566, representing an average yearly profit of about \$3,140 per year, and there may have been some distributions of profit during that time.<sup>47</sup>

Frank Bond probably drew a sigh of relief and imagined that he was out of the logging and timber business. His first love was sheep, wool, and merchandise; certainly he would never have done more than have a few logs chopped for his fireplace. But it was not to be. The interregnum lasted only four years, and then Frank Bond found himself back at the head of a sizable timber project that lasted for twelve more years.

When the Trampas Grant was sold to the Las Trampas Lumber Company in 1907, Bond had reserved 2,000 acres in addition to 650 acres that were already allotted to certain settlements on the grant.<sup>48</sup> A decision of the Supreme Court

46. *Letter Book No. 56*, January 4, 1915, p. 433.

47. *Records, loc. cit.*

48. *Letter Book No. 6*, June 26, 1912.

raised questions concerning the title which Bond had passed to the Las Trampas Lumber Company, and a number of the settlers on the grant filed claims for parts of the grant in excess of the 650 acres allotted to them. In turn, the Las Trampas Lumber Company instituted a suit against the former owner, Frank Bond. Bond, of course, had a pronounced distaste for any kind of litigation,<sup>49</sup> and on May 1, 1913, an agreement was reached with the Las Trampas Lumber Company.<sup>50</sup> By the terms of this agreement, Bond was to buy 750 shares, or one-half of the issued capital stock of the Las Trampas Lumber Company for \$57,648.75, representing a par value of \$75,000.00. Bond was further bound to try and sell the Trampas Grant and the timber; in its turn the company was to release Bond from the covenants of seizure, warranty, quiet and peaceable possession, and all other covenants in the warranty deed, and also to dismiss the suit against him.<sup>51</sup> This was accomplished, and Frank Bond found himself again in the timber business as president of the Las Trampas Lumber Company, Albuquerque.

Bond promptly went to work in an effort to dispose of the grant and made available to prospective purchasers the results of lumber surveys which had been made on the property. The Las Trampas Lumber Company had employed a timber estimator and cruiser named W. A. Ross to survey the tract, and again in 1912, before the litigation began, they had employed the firm of Brayton and Lawbaugh of Chicago, Illinois, to make a cruise and estimate the tract and show the amount of timber on each forty-acres subdivision of the property. The work was done, and exhaustive and detailed maps were prepared covering the whole property and the timber on each forty acres. The maps and plats in addition to showing the amount of timber also showed the character of the logging ground, the contour of the land, the canyons, streams, and elevations at different points. The work was

49. Bond wrote: "I don't like law-suits, much prefer a settlement." *Ibid.*

50. The stockholders of the company were James B. Herndon, president, O. N. Marron, C. L. Hill, J. J. Hill, G. L. Hill, Ike Graham, and Warren Graham. Agreement dated May 1, 1913. Bond Papers, *loc. cit.*

51. *Ibid.*

exhaustively and thoroughly done. Accompanying the plats and maps was a report of their conclusions.

The sale price of the grant set by Frank Bond was \$160,000, to be paid \$60,000 in cash and the balance in three equal annual payments with interest at 6 per cent. The party making the sale would receive 5 per cent, or \$8,000 commission.<sup>52</sup>

The law firm of Marron and Wood, Albuquerque, and E. R. Wright, Santa Fe, represented the lumber company in the proceedings to quiet the title to the grant, and the people who lived in the several towns and villages on the grant were represented by A. B. Renehan and by Charles C. Catron. The gist of the matter was that although 650 acres had been set aside as excluded from the grant, the residents of Ojo Sacro, Cañada de los Alamos, Diamante, Trampas, Valle, Llano Chamisal (sometimes called Ojito), and the possessions along the Santa Barbara River raised questions of claim to additional portions of the grant on which these villages lay. An agreement was reached whereby there would be segregated from the grant a tract around each town and settlement large enough to include all of the lands actually occupied. In turn, the residents agreed to sign quitclaim deeds.<sup>53</sup>

An additional agreement was reached with these residents that they would have the right to graze their domestic animals on the grant outside of the segregations, could take down timber for fuel and could take unmerchantable standing timber for fence posts and vigas. The Trampas Lumber Company was also bound to yield right of way for existing irrigation ditches and to protect the ditches in the course of their operations.<sup>54</sup>

The lumber company agreed to pay C. C. Catron \$5,500 to secure quitclaim deeds from the inhabitants of the grant covering the grant property lying outside the segregated areas in accordance with the previous stipulation.<sup>55</sup> Frank

52. *Letter Book No. 50*, November 21, 1913, p. 336.

53. *Las Trampas Lumber Co. v. Juan B. Ortega, et al.*, Stipulation, Bond Papers, *loc. cit.*

54. Unrecorded agreement between Las Trampas Lumber Company and Squatters, June 5, 1913. Bond Papers, *loc. cit.*

55. Agreement between Las Trampas Lumber Co. and C. C. Catron, June 2, 1913. Bond Papers, *loc. cit.*

Bond was somewhat impatient to have the entire matter finally settled,<sup>56</sup> but the case was not a simple one. There were 288 defendants named in the action plus many unknown heirs of deceased claimants.

The final decree was entered on April 16, 1914, in which the Las Trampas Lumber Company was adjudged owner in fee simple of the Trampas Grant except for the village reservations,<sup>57</sup> thus leaving Frank Bond about where he started in 1903.

Bond's first prospect was T. A. Schomburg, then with the Continental Tie and Lumber Company in Denver, who offered \$1.50 per 1,000 feet for stumpage on the grant. Although Frank Bond had only been over the grant one time, he didn't believe there was as much timber on it as the Chicago surveyors estimated, and he much preferred to sell the grant outright.<sup>58</sup> However, he went to Denver and discussed the matter with Schomburg who then appointed F. R. Frankenburg as his representative to go over the grant with W. A. Ross who had made the original timber survey.<sup>59</sup>

The next nibble by a prospective purchaser came from a man named Blount in Walsenburg, Colorado, in August, 1914. Like the Schomburg inquiry, nothing ever materialized.<sup>60</sup> In October another prospect appeared, but was quoted a price of \$175,000 by someone in Albuquerque and evidenced no further interest. Frank Bond was not at all pleased that someone had quoted a price \$15,000 higher than had been quoted to other people, and he expressed his displeasure bluntly.<sup>61</sup>

Several minor problems arose near the end of 1914. The law firm of Renehan and Wright which had been active in the title litigation submitted their statement to the Trampas Lumber Company and a disagreement over it arose between Renehan and the Las Trampas Lumber Company stockholders. Bond felt it was absolutely essential that pleasant

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56. *Letter Book No. 50*, November 10, 1913, p. 253.

57. *Las Trampas Lumber Co. v. Juan B. Ortega, et al.*, No. 840. Bond Papers, *loc. cit.*

58. *Letter Book No. 51*, February 23, 1914, p. 256; *ibid.*, p. 263.

59. *Ibid.*, April 1, 1914, p. 583; *Letter Book No. 55*, October 12, 1914, p. 444; *ibid.*, p. 445; *ibid.*, October 14, 1914, p. 485.

60. *Letter Book No. 53*, August 11, 1914, p. 594.

61. *Letter Book No. 55*, October 14, 1914, p. 485.

relations be maintained, and since he owned a one-half interest in the company he paid half the bill without question and secured a release for his interest. The other stockholders were not informed of Bond's action, and he left them to fight it out among themselves.<sup>62</sup> Other minor annoyances included an over-valuation on the Rio Arriba tax assessment and the imminent necessity of appealing it to the Board of Equalization. Bond pointed out that the property was overvalued in view of the fact that they couldn't even get an offer for it.

The next prospective buyer appeared in the form of a Mr. Hartley in Kansas City in March, 1915.<sup>63</sup> Another inquiry came in August from Walter G. Turley in Santa Fe who had a colonization project in mind. Bond didn't think the property was suitable for colonization, and nothing ever developed from either of these two inquiries.<sup>64</sup> Before the year was out Bond was willing to lower the asking price from \$160,000 to \$135,000,<sup>65</sup> but the property was simply not attracting any buyers.

Lumbering was no more successful at Trampas than it had been at Truchas, and by 1919 the sawmill operation was a failure, the blacksmith shop, mill, and roads were all abandoned, a deficit of over \$25,000 had accumulated, and the stockholders would have been happy to sell the whole grant for \$60,000.<sup>66</sup>

### 8. *Forbes Wool Company*

The exact background and organizational beginnings of the Forbes Wool Company are not only obscured by the mists of time but also shrouded in a cloak of secrecy that surrounded its ownership. As with several other enterprises, clear black and white evidence concerning many points is not available, but a great deal can be deduced from the records remaining.

The Forbes Wool Company was located in Trinidad, Colorado, and for many years was engaged in buying wool

62. *Letter Book No. 53*, July 21, 1914, p. 426.

63. *Letter Book No. 57*, March 25, 1915, p. 460.

64. *Letter Book No. 59*, August 2, 1915, p. 302.

65. *Ibid.*, July 28, 1915, p. 248.

66. *Capital Stock Tax Reports*, Bond Papers, *loc. cit.*

from the western growers, scouring it, and selling it in the eastern markets.<sup>1</sup> The Bond records leave no trace of the motivation for their acquisition of an interest in this scouring mill, but Fred Warshauer was handling large quantities of wool in Antonito,<sup>2</sup> and he was undoubtedly instrumental in bringing George and Frank Bond into the company.

The first record we have of the Forbes Wool Company tells of a trip that George Bond made to Trinidad early in May of 1903 while he was still living in Wagon Mound. He visited J. C. Huddelson at the First National Bank of Trinidad and borrowed \$10,000 on an 8 per cent note due in three months. With this money in his pocket, he called on E. J. Huling who was at the time manager of the Forbes Wool Company and paid him the \$10,000 for stock in behalf of himself and Frank Bond. Illustrating the informality of the transaction, Huling did not happen to have the Forbes stock certificate books at Trinidad, so Bond simply accepted a receipt for the money. He turned this receipt over to Huddelson at the bank with the request that when Huling delivered the stock to the bank the receipt should be returned to Huling.<sup>3</sup>

Only nine months before the Bonds bought the plant, the "Young Observer" reported that the Forbes Wool Company had a "finely equipped scouring mill,"<sup>4</sup> but the tenor of Bond's correspondence on the subject does not lend credence to this observation. Indeed, the Bonds felt that it was absolutely necessary to make extensive improvements on the mill, and they estimated that these improvements would result in a saving of over 4 per cent on the capital stock in the handling of wool in the new mill.<sup>5</sup> Just what these improvements might have been is not now apparent.

The mill must nevertheless have been at least reasonably operable, for the "Young Observer" also reported that the Forbes mill enjoyed a very prosperous season just before the

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1. Interview with J. E. Davenport.

2. Warshauer sold 1,500,000 pounds of wool late in 1899, requiring 100 railroad cars to move the single shipment. *The Shepherd's Bulletin of the National Wool Growers' Association*, III, No. 12 (December, 1898), 605.

3. *Records*, loc. cit.

4. "Young Observer in New Mexico," *The American Shepherd's Bulletin*, VII, No. 8 (August, 1902), 2599 (75).

5. *Records*, loc. cit.



Bonds acquired their interest.<sup>6</sup> For the next several years, at least through 1905, the mill scoured about 4,000,000 pounds of wool each year,<sup>7</sup> but whether the mill yielded a profit on the scouring in those years immediately following the change of ownership is uncertain. As a matter of fact, even the complete ownership of the company in 1903 is uncertain. In addition to the Bonds, the other stockholders were T. A. Schomburg and J. P. Van Heuten with interests of \$1,000 each and Fred Warshauer who had an investment of \$6,000. The total investment of Schomburg, Van Heuten, Warshauer, and the Bonds therefore totals only \$18,000—a highly unlikely total for the capital stock. Later indications are that the total capital was \$50,000,<sup>8</sup> which would leave \$32,000 in stock unaccounted for.

Only Brown<sup>9</sup> and Huling were to know anything about Warshauer's interest in the Forbes Wool Company, and Frank Bond told Fred Warshauer that Schomburg, Van Heuten, Lawrence, and Florsheim, who were referred to as "the other crowd,"<sup>10</sup> should remain ignorant of Warshauer's connection with the scouring mill because he didn't think they could keep from talking. In order to keep Warshauer's connection with the Bonds in this venture a closely guarded secret, his stock was issued in the Bond name with the intention of transferring it later to Warshauer although some legal way was sought to obviate the necessity of doing even this.<sup>11</sup>

The background of this esoteric arrangement seems to have been a bitter feeling between the Bonds and the Gross-Kelly Company. There is evidence of some irritation with H. W. Kelly as early as 1898 when George Bond at Wagon Mound received an order for hay from Gross-Kelly. He acknowledged the order and replied tartly:

Try to have the matter fixed so that the hay will be received at point of shipment as this continual claim for shortage is neither pleasant nor profitable. Our hay last year was all

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6. "Young Observer in New Mexico," *loc. cit.*

7. *The American Shepherd's Bulletin*, X, No. 9 (September, 1905), 882 (34).

8. *Records*, *loc. cit.*

9. Presumably of Brown & Adams.

10. *Letter Book No. 6*, February 25, 1903.

11. *Ibid.*

weighed as it went into the cars and yet on one car the Co. made claim for over one ton short, and to have this thing happen over again we would prefer not to do any hay business.<sup>12</sup>

The roots of the quarrel with Kelly, however, went deeper. There seem to have been certain generally defined geographical areas which each of the major wool buyers reserved, or at least tried to reserve, for themselves, and any encroachment by other wool buyers into the territory was distinctly unwelcome. In addition, whereas the Bonds sold their wool through Boston wool merchants, usually Brown & Adams, Kelly was tied up with manufacturers and couldn't afford to give any of his wool to a commission house.<sup>13</sup> With the commission house out of the picture, Kelly could of course sell his wool at higher prices and was in turn able to pay correspondingly higher prices to the growers. Thus both Bond and Brown & Adams were anxious to get Kelly to "come into line," market his wool through Brown & Adams, and quit buying wool at the higher prices that Bond couldn't pay.<sup>14</sup>

As mentioned earlier, the Forbes mill bought wool, scoured it, and then sold it to the Boston merchants; Brown was in Denver at about the time the Forbes transaction was being considered, he discussed the matter with George Bond, and he was thoroughly aware of the Bond-Warshauer interest. These facts all lead to the intriguing theory that perhaps Brown & Adams held or were planning to acquire some of the unaccounted-for stock in the Forbes mill. If this were true, the necessity for keeping Kelly in the dark would have assumed even greater importance since Brown & Adams would have then been realizing multiple profits on wool which was processed by the mill and then shipped to them in Boston. It

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12. Letter of G. W. Bond to H. W. Kelly, September 10, 1898, in the Gross-Kelly Business Collection (University of New Mexico Library, Albuquerque). Cited hereafter as Gross-Kelly Papers.

13. *Letter Book No. 6*, June 25, 1904.

14. *Vide supra*, chap. iii, pp. 61-62.

Kelly's position of not selling his wool through Brown and Adams had long been a thorn in the Bonds' side; in 1898 George Bond had complained about pricing disparities and appealed to Kelly to assist in making an agreement that would have the effect of pegging wool prices in Springer, Watrous, and Wagon Mound at the same level as those being paid in Las Vegas. Letter of G. W. Bond to H. W. Kelly, June 24, 1898, Gross-Kelly Papers, *loc. cit.*

would seem that Bond would have wanted his connection cloaked also, but there may have been more compelling reasons why Warshauer's interest could not be disclosed and Bond's interest was open to view.

The entire question of territorial prerogative and marketing policy reached a climax at just about the same time that Bond and Warshauer were considering the purchase of the Forbes Wool Company. George Bond had a meeting in Denver with Brown early in 1903 at which the possibility of getting Kelly to "come into line"<sup>15</sup> was discussed. A meeting had been arranged in Boston at which Robbins and Jacob Gross were to meet with Brown & Adams, presumably in an effort to convince the former that they should sell their wool through Brown & Adams. Brown indicated to George in Denver that if Kelly wanted to join their "crowd," perhaps the Bonds would be willing to concede some territory to Kelly as an inducement. According to Frank Bond, in relating the event to Fred Warshauer, "George stood flat-footed and said that we would concede nothing in the way of territory."<sup>16</sup> Frank then added:

You [Warshauer] and we together are bigger wool buyers than Gross-Kelly & Co. and undoubtedly so far we have been much more successful as operators. Now we do not propose that Kelly shall "Hog" [This word is almost illegible.] us out of any of our territory or You and we both ought to insist that he keep out of the D. & R.G. section. We think . . . instead of giving up to Kelly, he ought to be willing to give up to us. . . . If it should come to a showdown we will simply tell B&A. that we will sell our wool to whomsoever we please, and we will discontinue to do business with them. . . . We do not propose to have to buy Mr. Kelly in order to make him a peaceful operator, and a pleasant competitor.

We desire to stay with Brown & Adams, but we do not wish to be sold out. We will do any thing that is fair, but nothing more. We trust that nothing will come up of an unpleasant nature, and we hope that B&A. will be with us rather than with Kelly. They however, are very anxious to get Kelly in line, and handle his account, so I think that we may be pre-

15. I.e., market through Brown & Adams.

16. *Letter Book No. 6*, February 25, 1903.

pared to be asked to do something for Mr. Kelly. Kelly is not modest when it comes to asking something from the other fellow.<sup>17</sup>

Only a few days later Frank further pointed out to Warshauer that Brown & Adams had nothing to lose if the Bonds would make concessions to Kelly and everything to gain. He wrote:

We are not blind to the fact that we can pull a much larger crowd with us than Kelly ever can. If we should go out . . . we are pretty well satisfied that [Solomon] Floersheim and [Albert] Lawrence would go with us. Floersheim does not love us but he fears George. We would put up a combination with them and other parties who are friendly with us, that would make both Kelly and B&A. still think there were others who could and would buy wool.<sup>18</sup>

These ruffled feelings were not soothed in the least when Kelly presumably circulated rumors in Las Vegas that the Bonds had bought 5,000,000 pounds of wool. Frank Bond then wrote: "He undoubtedly tells them all that we have the heavy undesirable lots which he would not buy. We are the 'Suckers' and he is the genius."<sup>19</sup>

As a result, all efforts to convince Kelly that he should market his wools through Brown & Adams must have failed, or at least had only temporary effect, because from the middle of 1907 through 1915 almost all the Gross-Kelly wool was shipped to the Boston wool brokers, Salter Brothers and Company.<sup>20</sup>

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17. *Ibid.*

18. *Letter Book No. 6*, February 28, 1903.

From the tenor of his remarks it would appear that Frank Bond was blissfully unaware that Kelly was a stockholder in the Floersheim Mercantile Company along with Albert Lawrence, Arthur M. Blackwell, Jacob Gross, and Solomon Floersheim (*Minute Book*, January 21, 1901, p. 26, in the Floersheim Business Collection [University of New Mexico Library, Albuquerque]; *ibid.*, January 20, 1903, p. 30). However, five years earlier, in 1898, when George appealed to Kelly for a pricing agreement, he referred to Kelly's "influence at Springer and Watrous" (Letter of G. W. Bond to H. W. Kelly, June 24, 1898, Gross-Kelly Papers, *loc. cit.*) This might seem to indicate that perhaps he did know something about the Kelly-Floersheim-Lawrence corporate relationship, but if he did it is almost inconceivable that he would have expected Floersheim and Lawrence to desert Kelly.

19. *Letter Book No. 6*, February 28, 1903.

20. Wool Record, July 30, 1907, to December, 1915, Gross-Kelly Papers, *loc. cit.* For discussion of Salter Brothers *vide supra*, chap. iii, p. 304.

However, wool, like politics, makes strange bedfellows, and it was no later than the summer of 1904 that Kelly, Warshauer, and Bond entered into a three-way combination to divide the 1904 fall wools and the 1905 Espanola spring wools, Kelly even pushing to bring Floersheim into the combination.<sup>21</sup> The honeymoon was short-lived, however, and by July, 1905, Frank Bond had wearied of Kelly's carping. When Kelly objected to the purchase of the 45,000 pound Otero clip in Albuquerque for twenty-four cents, Bond guaranteed Kelly against any loss and told him that he didn't wish to hear anything more on the subject,<sup>22</sup> commenting that he preferred to "assume all chances of loss with our friend Warshauer rather than hear from Mr. Kelly."<sup>23</sup>

After this time no further dealings with Gross-Kelly are recorded insofar as the wool business is concerned, and it was not until 1915, almost ten years later, that Frank Bond wrote to H. W. Kelly as follows:

I know that the kindest feeling prevails between your people and our people and I don't doubt but what we might be able to be of some assistance to one another in various ways if we tried really hard to do so; although I am positive we are not harmful to one another at the present time.<sup>24</sup>

Clarence E. Davenport apparently succeeded Huling as manager, and he operated the mill for a number of years until about 1910 when he joined the Bonds and moved to Encino to work there.<sup>25</sup>

The next mention of the Forbes Wool Company in the Bond records appears in a letter dated March 16, 1910, from G. W. Bond to the Bradstreet Company in Albuquerque in which he noted that he and Frank owned stock in the Forbes Wool Company, Trinidad, Colorado, as individuals. This accounts for the fact that no investment figures appear on the books of any of the Bond stores with respect to the Forbes company.

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21. *Letter Book No. 6*, June 25, 1904.

22. *Ibid.*, July 7, 1905.

23. *Ibid.*

24. *Letter Book No. 56*, February 6, 1915, p. 703.

25. Interview with J. E. Davenport; *Letter Book No. 55*, September 8, 1914, p. 158.

At least as late as 1910 the Forbes Wool Company, under the managership of T. G. Chittenden who succeeded Davenport in that capacity, was showing a profit. In that year, the plant handled over 3,000,000 pounds of wool and netted a profit of \$9,046.42. But this followed a year that had closed with a cumulative loss to date of \$1,329.86.<sup>26</sup>

Belying the decline that was to commence shortly, the financial condition of the Forbes Wool Company on March 28, 1911, appeared as shown in Table 48. An examination of the income and expenses for this year reveals that the profit was realized from sorting, scouring, and burring wool, with no indication that any profit whatsoever was gained from the buying and selling of wool.

TABLE 48  
STATEMENT, FORBES WOOL COMPANY

March 28, 1911

<i>Resources</i>	
	Amount
Cash .....	\$ 4,005.66
Inventory <sup>a</sup> .....	469.09
Accounts Receivable .....	3,726.95 <sup>b</sup>
Fixed Plant .....	49,514.86
Wool Advances .....	19,592.88
Total .....	\$77,309.44
<i>Liabilities</i>	
Bills Payable .....	\$19,592.88
Capital Stock .....	50,000.00
Surplus .....	7,716.56
Total .....	\$77,309.44

<sup>a</sup> Soap and sacks.

<sup>b</sup> All good.

The following year, 1912, told a different story. In spite of Chittenden's hope that "should we get as much wool to scour this year as last, we should be able to make a somewhat better showing,"<sup>27</sup> the income from the scouring work fell from \$37,516.61 to \$1,828.55, and the year ended with a net loss of \$469.21.<sup>28</sup>

26. *Records, loc. cit.*

27. *Ibid.*

28. *Records, loc. cit.*

The plight of the Forbes Wool Company worsened steadily. In 1914 Frank Bond charged off a loss of \$4,691.24 on the Forbes Wool Company on his personal books,<sup>29</sup> and by this time he was carrying his investment in the company at a mere \$750.<sup>30</sup>

Operations during 1914 must have been the last straw for Frank Bond for by February, 1915, he was convinced that it was hopeless to attempt operating the plant, and he favored closing it down entirely and selling the building and machinery for what they could get.<sup>31</sup> In April he wrote his brother:

It would suit me for them to scrap the whole thing and get what they can for it. If you feel the same about it, I wish you would write them. . . . If they continue another year, they will be calling on the stockholders to pay the expenses, and for what purpose? It would simply be throwing money into a hole.<sup>32</sup>

The last mention of the Forbes Wool Company before the close of 1915 was one more try on the part of Frank Bond to recognize a losing proposition when he saw one. In June he summed up its inevitable demise in a letter to J. C. Hudelson who was then president of the Forbes Wool Company, saying:

There is very little scouring done in the west any more, as the general run of the wools can be sold to better advantage in the grease, and furthermore it is very doubtful that it will ever become a popular way of handling our wools again to any extent.<sup>33</sup>

### 9. *Bond, McCarthy Company*

In 1863 a young Prussian teenager named Alexander Gusdorf came west to Santa Fe. Starting work for A. Stabb in Santa Fe, he soon struck out on his own and opened his own general merchandise store at Penasco. Alex soon moved to Ranchos de Taos and opened up a flour mill, then ultimately

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29. *Ibid.*

30. *Ibid.*

31. *Letter Book No. 57*, February 6, 1915, p. 4.

32. *Ibid.*, April 17, 1915, p. 612.

33. *Letter Book No. 58*, June 4, 1915, p. 399.

Taos itself saw a general store bearing the name of Gusdorf.<sup>1</sup> During this time his younger immigrant half brother, Gerson Gusdorf, was stranded in New York City by the death of his uncle with whom he had been living, and at the age of fourteen Gerson, like Alex before him, traveled westward, joining the family at Ranchos de Taos.<sup>2</sup>

Meanwhile, an undertaker named T. G. McCarthy received into his home in Pueblo, Colorado, a brother by the name of Justin H. McCarthy who had trekked westward in 1898. Before long, young Justin learned that an opening as a bookkeeper existed in a general store in Espanola which was operated by George W. Bond and Frank Bond. He successfully applied for the position and thus began a business association that lasted until 1932.<sup>3</sup>

The Gusdorf store at Taos prospered, but Alexander Gusdorf's sixteen-year-old son, Melvin, died near the turn of the century, and the grieving parents rapidly lost the drive and will so necessary to the successful operation of a business during those times.<sup>4</sup> Undoubtedly it was through their mutual friend, Staab, that young Gerson Gusdorf came to know the Bond brothers, so when Alexander Gusdorf began to think of selling out, the team of Bond, Gerson Gusdorf, and Justin H. McCarthy began to emerge.

The basic transactions took place on September 12, 1904, which put the three new partners into business. McCarthy gave his note to the Bonds for \$1,436.66 and secured \$3,563.34 from the Pueblo National Bank. Whether this latter sum was a withdrawal of his own funds or received on a note to the bank is unknown. Gerson Gusdorf added \$3,700 to the \$5,000 put in by McCarthy, and George and Frank Bond supplied a \$10,000 note dated September 1 in favor of Alexander Gusdorf and \$4,800 in cash to make up the \$23,500 which the new owners paid to Alexander Gusdorf<sup>5</sup> for a business with an inventory value of \$23,800 including less

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1. Interview with Mrs. Elsie Gusdorf Weimer, Taos, New Mexico, January 10, 1958.

2. Interview with Mrs. Gerson Gusdorf, Taos, New Mexico, January 10, 1958.

3. Interview with John F. McCarthy.

4. Interview with Mrs. Elsie Gusdorf Weimer.

5. Cash Book and Journal, September, 1904 (in the files of John F. McCarthy, Taos, New Mexico). Material at Taos cited hereafter as McCarthy Papers.



than \$100 worth of scales, jewelry cases, a cigar case, a hat case, and other fixtures.<sup>6</sup> In order to set the business on firm ground, the Bonds supplied another \$5,000 in cash for the business to use.<sup>7</sup>

Business started off promptly the next day, September 13, 1904, when cash sales amounted to \$215 and John Dunn bought \$25 worth of merchandise on account.<sup>8</sup>

Actual incorporation of the new firm did not occur until October 25, 1904, when George Bond, Frank Bond, Gusdorf, and McCarthy associated themselves together under the provisions of Chapter I, Title 5 of the Compiled Laws of New Mexico of 1887.<sup>9</sup> The name "Bond, Gusdorf, McCarthy Company" was adopted and Frank Bond, Gusdorf, and McCarthy elected themselves president, vice-president, and secretary, treasurer, and general manager. The Articles of Incorporation disclose the purpose for which the business was organized, and they describe so well not only the Taos store but also most of the other Bond organizations, that the object of the business is quoted verbatim:

To buy, sell, exchange, barter, deal in and incumber wool, hides, pelts, sheep, cattle, horses and other livestock, and the products thereof, and to buy, sell, exchange, barter, deal in and incumber all kinds and classes of goods, wares, and merchandise, and to operate and carry on a general merchandise business.<sup>10</sup>

The store was capitalized at \$30,000, the stock consisting of one dollar par value shares. Ten thousand shares were issued to McCarthy, and a like amount to Gerson Gusdorf; Frank and George Bond divided the remaining 10,000 shares between them equally.<sup>11</sup> That the partners divided the stock in this manner despite the unequal cash contributions made as described above strongly indicates that the organizational pattern here closely followed that of the other stores where

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6. *Ibid.*

7. *Ibid.*

8. *Ibid.*

9. Articles of Incorporation, McCarthy Papers, *loc. cit.*

10. *Ibid.*

11. Minutes of Board of Directors' Meeting, November 15, 1904, McCarthy Papers, *loc. cit.*

the other partners' interests were given in return for the security of a personal note payable to the Bonds. However, they executed a formal agreement not to sell their stock to any outsider without first offering it to the other shareholders on the same terms.<sup>12</sup>

The size of the merchandise investment carried by the Bond, Gusdorf, McCarthy Company and later by Bond, McCarthy was a continual source of irritation to Frank Bond who felt that the business could be well conducted on a lesser stock of merchandise. Bond wrote of his concern in 1905<sup>13</sup> and again at the end of 1908 when he pointed out that the stock investment was up to \$55,000 and as much business could be done on \$40,000.<sup>14</sup> In 1913, Frank Bond pressed McCarthy hard again on the subject.<sup>15</sup> Indeed, the stock investment averaged just under \$51,000 for the period from organization through 1915, and the year which reflected the greatest profits, 1915, closed with a stock investment of only \$39,900, surprisingly close to Frank Bond's estimate.<sup>16</sup>

Furniture and Fixtures, which averaged about \$4,000, were valued at 90 per cent of cost in consonance with their usual practice, and there were no significant changes to the account between 1904 and 1915.

Renting sheep was not one of the major activities in Taos, there rarely being more than \$100 or so tied up in rented sheep until 1912 when the sheep account began to grow. By 1915 Bond, McCarthy had \$12,800 invested in sheep, representing 3,640 head, and by that time some profit on this phase of the business was beginning to be realized.<sup>17</sup>

Cash was usually short, the bank balances were small, and accounts and bills receivable comprised the important part of the current assets aside from merchandise. Those accounts which by specific analysis were expected to be uncollectible were charged off at the end of the year, but a note of year-end pessimism in this respect is evident since a goodly

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12. *Records, loc. cit.*

13. *Letter Book No. 6*, June 9, 1905.

14. *Ibid.*, January 13, 1909.

15. *Letter Book No. 50*, October 16, 1913, p. 83.

16. *Records, loc. cit.*

17. *Ibid.*

portion of these were frequently collected in the following year and were reflected as profit. These data are tabulated in Table 49.

TABLE 49  
BOND, McCARTHY RECEIVABLES ACTIVITY  
(dollars in thousands)

Year	Receivables	Charged Off	Collected in Succeeding Year
1905	\$35.7	\$1.6	\$.....
1906	44.2	3.4	.....
1907	51.5	8.5	.....
1908	51.1	2.5	.....
1909	49.7	3.0	1.1
1910	45.4	.2	2.1
1911	56.1	5.0	1.2
1912	58.4	5.1	3.0
1913	62.9	2.4	2.3
1914	66.8	2.8	2.6
1915	63.9	2.6	.....

Minor balance sheet items included horses,<sup>18</sup> cattle, a few hides and pelts, and some of the camp buildings at Servilleta.

Like the assets, there were no violent fluctuations in the liabilities; bills payable constituted a significant share and generally amounted to between \$25,000 and \$30,000. It was a typical mercantile store, and there was always from \$3,000 to \$9,000 in payables to depositors.<sup>19</sup>

In June of 1905, the year following organization, Frank Bond heard that McCarthy had tried his hand at politics and, having run, failed to acquire office. This was the occasion of a rebuke reflecting a Bond point of view which explains in many ways the background role they played in the political life of New Mexico:

We have never mixed politics or religion in our business and we certainly do not wish you to do so. . . . Keep a still mouth as regards politics or religion. They have nothing to do with business, and buy carefully and judiciously and you will be sure to make a success.<sup>20</sup>

18. In 1905, 1906 and 1907 a \$280 investment included two sets of harness, one team, and one buggy.

19. *Records, loc. cit.*

20. *Letter Book No. 6*, June 9, 1905.

At the same time Bond took the opportunity to caution him about over-buying on shoes, advising that he would have to meet his own bills and not expect help. This kind of advice was a normal part of Bond's general supervision from Espanola and punctuated his efforts to make the local store managers pay their way without additional financial assistance from Espanola. On the other hand, it is observed that however dire the threat, money was always forthcoming when there was a real need.<sup>21</sup>

The profits at the end of 1905, covering the sixteen months of operation since September of the previous year, amounted to \$17,274.61 which was distributed \$5,758.20 each to McCarthy and Gusdorf with a like amount being divided between the Bonds, a very respectable return on invested capital.<sup>22</sup> These profits were distributed at the end of 1905, and it is noted that they were never distributed in cash. They were, in fact, returned to the stock account at the end of 1906.<sup>23</sup> At the end of 1905, too, the capital stock of Bond, Gusdorf, McCarthy Company was increased from \$30,000 to \$40,000 by the contribution of \$10,000 in sheep by the Bonds who in return received 5,000 more shares of stock each.<sup>24</sup>

The profits over the years from organization through 1915 are shown in Table 50.

By the end of 1907, profits had continued to remain depressed, and Gerson Gusdorf sold his interest in the business to the remaining partners. By this time Gusdorf had accumulated \$7,617.55 in profits which, added to his \$10,000 capital stock interest, enabled him to pay the Bonds the \$14,583.79 which he owed on two notes and thus leave the business with just over \$3,000 in cash.<sup>25</sup> In this transaction the Bonds acquired 6,666 shares.<sup>26</sup> J. H. McCarthy acquired 3,333 shares, and one share was issued to the bookkeeper, Charles J. H. Robinson, probably to provide a third officer of the

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21. *Supra*, chap. vii.

22. Journal, December, 1905, McCarthy Papers, *loc. cit.*

23. Journal, December, 1906, McCarthy Papers, *loc. cit.* Taxes for 1905 amounted to just \$145.80.

24. Journal, December, 1905, McCarthy Papers, *loc. cit.*

25. Journal, January, 1908, McCarthy Papers, *loc. cit.*

26. Divided equally between Frank and George Bond.

TABLE 50  
BOND, McCARTHY NET PROFITS  
(dollars in thousands)

Year	Amount
1905 .....	\$17.3
1906 .....	5.4
1907 .....	5.1
1908 .....	9.1
1909 .....	8.3
1910 .....	1.5
1911 .....	8.9
1912 .....	15.6
1913 .....	7.7
1914 .....	13.0
1915 .....	18.7

company.<sup>27</sup> Again, the McCarthy stock was financed by the Bonds, and so the ownership now stood as shown in Table 51.

TABLE 51  
BOND, McCARTHY STOCKHOLDERS

Stockholder	Shares Held
G. W. Bond .....	13,333
Frank Bond .....	13,333
J. H. McCarthy .....	13,333
C. J. H. Robinson .....	1
Total	40,000

A serious slump in profits occurred in 1910, and Frank Bond didn't expect McCarthy's health to permit his continuance in the business beyond that year.<sup>28</sup> He suggested that if it did become necessary to make a change at Taos that they might give one man stock in the company and the other a percentage of the profits. Even though this never material-

27. Journal, January, 1908, McCarthy Papers, *loc. cit.* Most of the records of the company were destroyed by a fire in 1932 that consumed an entire city block in Taos. Unanswered, as a result, is the question of when the name of Gusdorf was dropped from the corporate entity. Certificate No. 1 of the Bond, McCarthy Company was not issued until February, 1916, so it is possible that the Gusdorf name continued until that time in a legal sense although after 1907 the firm is always referred to in the correspondence as Bond, McCarthy.

28. McCarthy's health apparently improved for he continued in active partnership with the Bonds for many years afterward. Mrs. McCarthy, however, contracted mumps and died in premature childbirth on April 16, 1915, leaving Justin and their five small children. Frank Bond, Louis Nohl, and Andy Wiest went immediately to McCarthy's side in Taos and then as he returned his wife to Chicago for burial all three of them accompanied McCarthy on the train as far as Pueblo, Colorado. *Letter Book No. 57*, April 17, 1915, p. 610.

ized, it did indicate that a change in the way in which the managers were employed was considered.<sup>29</sup>

Also under consideration at this time was the possibility of purchasing the stock of the Taos Mercantile Company. The Santa Barbara Tie and Pole Company was interested also, and Bond suggested that they offer sixty-five cents on the dollar for the Taos stock and then throw out the undesirable items. If they did finally buy it, they planned to close the store at once and lock it up because they feared that the sellers might go in and remove a large part of the stock if it were left unguarded.<sup>30</sup> However, there is no indication that this transaction was ever consummated.

The year 1912 turned out excellently, and the higher profits were due not only to slightly greater earnings on merchandise sales but also to wool trading in an even greater degree. In this year there was over \$9,000 profit reported on wool in contrast to no profit at all two years previously when, in 1910, profits were so very low. However, total sales of \$97,600 in 1912 were not too far above the \$94,000 total sales of 1910.<sup>31</sup>

Nineteen thirteen ended badly, and in October Frank Bond was prompted to remark that it was the hardest year of his experience.<sup>32</sup> He punctuated his distress by trying to

32. *Letter Book No. 50*, October 16, 1913, p. 81.

spur McCarthy on to exert his best, cautioning him to start paying dividends, "otherwise what is the use in being in business?"<sup>33</sup> To make matters worse, it was about this time that in receiving a shipment of sheep, it seems that someone opened the loading pens and let some sheep back into an uncounted bunch, so they bought them again.<sup>34</sup> McCarthy, of course, had to stand his share of the loss, and what with merchandise profits being off more than \$4,000 the year turned out rather disastrously. However, as can be seen from Table 50, *supra*, the last two years of the period told a different and more cheerful story.

29. *Letter Book No. 6*, March 16, 1910.

30. *Ibid.*

31. *Records, loc. cit.*

33. *Ibid.*, p. 83.

34. *Ibid.*, October 30, 1913, p. 178.

After the poor showing in 1913 the belt was tightened and salaries were cut. Among them was the bookkeeper's<sup>35</sup> salary which was reduced to \$100 per month. Frank Bond felt that this was enough for a bookkeeper anyway. He quit.<sup>36</sup> This is not to say, however, that salary-cutting was a favorite form of amusement engaged in just to increase profits. Indeed, the contrary is illustrated by an incident that occurred in early 1909. Robinson's salary had been raised by George Bond, the increase amounting to \$16.66 per month. Justin McCarthy had not fully agreed with this increase, and George felt that his attitude as a result was cold and distant. He stated that "there must be no friction between us"<sup>37</sup> and promptly arranged to pay the increase himself out of his own pocket. This type of action was not at all unusual within the Bond organization, particularly if it helped to prevent any type of friction, misunderstanding, or whisper of unfairness.

Wool activities on the Taos books were generally low. This was due to the fact that most of McCarthy's wool activities were handled separately on a joint account with Bond and the Warshauer-McClure Sheep Company of Antonito. Taos wools were among the riskiest wools handled by Bond, and in 1915 he completed an agreement with Brown & Adams of Boston under the terms of which they would guarantee Bond against loss on his wools, give him the first cent of profit, take the next half cent for themselves, and give Bond the balance if any. In completing this arrangement, Bond was careful to keep Taos wools out of the agreement in order that the profit on Espanola or Antonito wools might not have to cover losses on the Taos wools.<sup>38</sup> Taos wool was to be set up in a separate agreement and Justin McCarthy was not at all pleased. This prompted Frank Bond to reply:

You know that I always handle wool and sheep business that [sic] same as if it were my own, and I believe so far I have not made many mistakes, at least you have always made some money, but I am bound to guess wrong some time, and I

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35. Named Thompson, first initials unknown.

36. *Letter Book No. 51*, February 24, 1914, p. 274.

37. *Letter Book No. 6*, January 13, 1909.

38. *Letter Book No. 57*, February 8, 1915, p. 12; *ibid.*, February 9, 1915, p. 33.

just wish to say that any time you desire I will turn it over to you, and you can make your own deals, not that I desire to get rid of the trouble, as I am perfectly willing to stay with the job as long as it is agreeable to you.<sup>39</sup>

A few weeks later Bond forwarded McCarthy \$5,000, representing the profit on Taos wools. Bond shared his half of the profit, as usual, with Warshauer-McClure.<sup>40</sup>

These rebukes to his managers were actually very straightforward expressions of opinion. While they occurred not infrequently, they were calculated to train the managers in Bond policy and philosophy. In setting up the various organizations, the Bonds selected men who had exhibited promise of being able to follow their own pattern of business practice, helped them get started, steered them along the way, and ultimately saw them go out on their own. After sending one tart letter, Bond soothed McCarthy:

We did not start you in Taos just with the selfish motive of improving our own fortunes but also of helping out a deserving man. The time will come when you don't need our backing . . . when that time comes, we will sell out to you and wish you well.<sup>41</sup>

They did, too, twenty-three years later.

### 10. *G. W. Bond & Bro. Mercantile Company*

The G. W. Bond & Bro. Mercantile Company, Encino, New Mexico, was organized in 1905 by G. W. Bond and Frank Bond. The brothers were equal partners in the new company, but one share of stock was issued to Louis F. Nohl in order to qualify him for the post of secretary and treasurer to which he was elected at the first directors' meeting on November 5, 1905.<sup>1</sup> The election of G. W. Bond as president and

39. *Ibid.*, February 8, 1915, p. 31.

40. *Ibid.*, March 25, 1915, p. 466; *ibid.*, p. 468.

41. *Letter Book No. 6*, January 13, 1909.

1. Almost thirteen years later Frank Bond wrote: "I enclose . . . certificate No. 5 for one share of . . . stock issued to Louis F. Nohl. This share of stock was originally issued to Mr. Nohl without consideration to qualify him to act as an officer of the Company. Now that Mr. Nohl is dead the stock should revert to the corporation." Letter of Frank Bond to Clarence E. Davenport, Encino, April 30, 1913, Bond Papers, *loc. cit.*



Frank Bond as vice-president completed the directorate which continued without change until Mr. Nohl's death thirteen years later.<sup>2</sup>

The business was capitalized at \$25,000 with 25,000 shares of stock authorized and issued, and additional financial support was provided by a loan of \$33,180.39 from G. W. Bond & Bro., Espanola. This loan was paid off in 1910 when the accumulated undivided profits had very nearly reached that figure.<sup>3</sup> The only other inter-company complication affecting the Encino store occurred in July, 1914, when the G. W. Bond & Bro. Mercantile Company joined the A. MacArthur Company, the Bond & Nohl Company, and the Bond, McCarthy Company and became a stockholder in the Bond-Connell Sheep and Wool Company, owning 5,000 shares of stock.<sup>4</sup> This represented the only investment in outside companies during the period, and the loan from Espanola was the only major outside financial support the business in Encino ever required in that time.

Charles A. Scheurich, a native of Taos, was appointed general manager of the new store, and his salary was fixed at \$100 per month. He was instructed:

Proceed at once to secure a desirable location at Encino, Torrance County, New Mexico, for store building &c., and immediately purchase lumber in the best market possible, for the erection of buildings, and secure carpenters to erect buildings suitable for a General Merchandise business to be carried on at Encino.<sup>5</sup>

Scheurich went to Encino, and the store was duly built on six acres of land across the street from the Santa Fe Railroad tracks at an initial cost of \$5,400.<sup>6</sup>

The company was formed for the express purpose of operating a general merchandise store at Encino, but it is observed that the registered offices of the company were never there. They remained in Espanola until 1918 when

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2. Record of Minutes (in the files of Frank Bond & Son, Inc., Albuquerque).

3. *Records, loc. cit.*

4. *Infra.*, chap. xiii.

5. Record of Minutes, *loc. cit.*

6. *Records, loc. cit.*

they were moved to Albuquerque. This anomaly is further highlighted by the corporate seal which was adopted by the directors at their first meeting. It read: "G. W. Bond and Brother Mercantile Company, Encino, Torrance County, N. M."<sup>7</sup> The confusion is completed by the actual impression of the seal which was pressed into the corporate minutes. It read: "G. W. Bond and Brother Mercantile Company, Espanola, Rio Arriba County, N. M."<sup>8</sup>

The new company was officially formed on November 5, 1905, with the first meeting of the board of directors although it had opened its doors for business on October 11. However, it was not until April of the following year that stock certificates were issued, and the first meeting of the stockholders did not take place until September, 1906. This lack of attention to relatively minor corporate details might with respect to most businesses in New Mexico's early days appear to be trivial, but in the light of Frank Bond's firm policy that such matters be attended to promptly it is enigmatic, and perhaps it foreshadowed the rocky road which the Encino business was destined to travel, ending many years later in misunderstanding, heartbreak, and insolvency.

The Bonds gave Scheurich a salary, the title of General Manager, and a mandate to build a store in Encino. It appears, however, from the correspondence that shortly after relinquishing active management of the store in Wagon Mound, George Bond spent a great deal of his time at Encino. That it was only part-time supervision though is indicated by the fact that his family remained in Trinidad.<sup>9</sup> This continued in varying degree until the brothers decided to dissolve their Espanola partnership—George moving to Boise, Idaho.

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7. Record of Minutes, *loc. cit.*

8. *Ibid.*

9. A letter written in 1907 by Frank Bond to George in Encino (*Letter Book No. 6*, September 17, 1907) mentioned that George's wife, Agnes (Frank called her "Aggie."), was in Trinidad. It appears that after George moved his family from Wagon Mound to Trinidad he spent a great deal of time at Encino. Scheurich was, of course, running the store, but George Bond had to take care of the sheep and wool business in the area for G. W. Bond & Bro., Espanola. As soon as they were able to get a man in who could handle sheep and wool as well as the merchandise line, it seems that George returned to Trinidad although he wrote letters from Encino as late as January, 1910. Other correspondence during these years reveals George's presence in Trinidad and San Diego as well.

During the first two years of operation the Encino venture was limited fairly well to the mercantile business although hides and pelts were a minor source of income from the start and continued to be so.<sup>10</sup> Beans, cattle, lumber, and interest were also minor sources of earnings.

When the Encino store was established it was agreed that interest of 6 per cent would be paid to the stockholders on their capital stock investment and charged off as an expense of the business and that the remaining profits would not be divided until such time as it might be possible to declare a 100 per cent dividend—or by mutual consent.<sup>11</sup> These profits on the new business started off rather well, and except for 1913 when net profits amounted to the magnificent sum of \$174.41 they continued so. At the end of 1915, after ten years of operation, undivided profits had accumulated in the amount of \$94,333.27. Since no profits had been withdrawn except the 6 per cent annual interest paid on investment, the total profit picture for the ten years amounted to \$15,000 more than this, or almost \$110,000 for an average annual earning of \$11,000.<sup>12</sup>

Table 52 shows the net profits for the years from organization through 1915 and includes the 6 per cent interest on \$25,000 capital stock which was not considered by them to be profit.

It is a little surprising, therefore, to discover that on September 17, 1907, less than two years after the founding, Frank Bond wrote his brother in Encino suggesting that they sell the Encino store. It certainly could not have been the profit picture at that time, and indeed Frank suggested that the investment in "this other thing" was much larger and required careful "nursing and watching."<sup>13</sup> Just exactly what the other investment was to which he alluded is unknown, but the urgency of the matter apparently passed for

10. In a letter to Walter Connell (*Letter Book No. 58*, May 1, 1915, p. 16) Frank Bond wrote: "Dick Dillon seems to be a puzzle to all of us, the way he handles his pelt business." Dillon had just sold his pelts for 17¼ cents. *Letter Book No. 57*, March 9, 1915, p. 311.

11. Letter of G. W. Bond to Frank Bond, January 4, 1908, Bond Papers, *loc. cit.*; Letter of G. W. Bond to Frank Bond, July 25, 1911, Bond Papers, *loc. cit.*

12. *Records, loc. cit.*

13. *Letter Book No. 6*, September 17, 1907.

TABLE 52

G. W. BOND & BRO. MERCANTILE COMPANY EARNINGS  
(dollars in thousands)

Year	Amount
1906 .....	\$ 4.1
1907 .....	7.3
1908 .....	3.3
1909 .....	16.3
1910 .....	9.6
1911 .....	6.1
1912 .....	24.1
1913 .....	1.7
1914 .....	15.1
1915 .....	21.9

the store was never sold. However, talk continued about selling the business, sometimes sparked by the spotty profits and sometimes by the general dissatisfaction with management.<sup>14</sup> In 1909 there was some talk that Charles Ilfeld was seriously considering the purchase of the Bond's Encino store and had said he would do so if he could get a satisfactory man to run it.<sup>15</sup> Nothing ever came of this, however, as Ilfeld's manager at Willard was fully aware of the declining number of sheep being run in the Willard-Palma-Encino area.

Late in 1907 Richard C. Dillon was traveling the Estancia Valley selling merchandise for the Gross-Kelly Company. A native of St. Louis, Dillon had come to New Mexico in 1889 at the age of twelve. He was employed for a time as a track man on the Atlantic and Pacific Railroad in Arizona and subsequently worked a few years as a clerk in the Floersheim Mercantile Company at Springer.<sup>16</sup> He went with the Gross-Kelly Company in Las Vegas in 1902, working in the hide and wool department, and was later transferred to Albuquerque as a traveling salesman.<sup>17</sup> He worked out of Albuquerque through the Rio Grande and Estancia valleys and was not unknown to the Bond brothers who offered him a position one day as he came through Encino. Dillon accepted

14. *Letter Book No. 53, passim.*

15. Letter of G. W. Bond to Frank Bond, January 1, 1910, Bond Papers, *loc. cit.*

16. Coan, *op. cit.*, II, 15.

17. Davis, *op. cit.*, I, 180.

and announced his resignation from the Gross-Kelly Company by simply wiring his decision from Estancia; Kelly's sharp displeasure was expressed in strained relations between them for many years afterwards.<sup>18</sup>

Scheurich left on January 1, 1908, and moved to Clovis where he established a mercantile business and engaged in insurance, real estate, and building and loan activities.<sup>19</sup> The precise reason for Scheurich's displacement is not stated, but there is no evidence to indicate that he had been expected to extend himself beyond mercantile management, so as George opened up the area for sheep and wool it became necessary to have a man of wider experience.<sup>20</sup> Dillon assumed the post of general manager at once, although the corporate minutes did not reflect his official status in that respect, and it was not until February, 1916, that the directors officially appointed him to that position.<sup>21</sup>

The generosity of the Bond brothers and the vision which they displayed in the development of promising young men had a far-reaching and lasting impact on the economic and political development of the Territory that has lasted even until the present time. The Bond associates not only have played important roles in the economic life of New Mexico but also have been active in the shaping of state and local affairs.<sup>22</sup> Nearly all of them have been financially successful, and a number of prominent New Mexico families can trace their economic lineage to George and Frank Bond. The employment arrangement with Dillon, both generous and typical, is deserving of more detailed attention.

It was originally contemplated that the capital stock of

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18. Interview with R. C. Dillon, Encino, 1956.

19. Davis, *op. cit.*, II, 1951.

20. The only intimation of possible dissatisfaction with Scheurich is contained in G. W. Bond's statement to Frank that "Dillon is now here and in charge and I am very much pleased with the change." Letter of G. W. Bond to Frank Bond, January 4, 1908, Bond Papers, *loc. cit.*

21. Record of Minutes, *loc. cit.*

22. Dillon rose to become a state senator in 1925 and was later elected governor of New Mexico, serving from 1927 to 1931, the first New Mexico governor ever to succeed himself in office (Davis, *op. cit.*, I, 180). Ed Sargent served as state auditor, was elected a county commissioner in Rio Arriba County, and became lieutenant governor of New Mexico in 1925 (Coan, *op. cit.*, II, 5). Walter Connell was active in Albuquerque city affairs and served on the city commission, and a later partner, C. G. Gunderson, was a gubernatorial candidate.

the G. W. Bond & Bro. Mercantile Company would be increased to \$45,000 and that Dillon would have \$15,000 of it. Bond estimated that Dillon would be able, under a one-third profit-sharing agreement, to pay out his stock in five years and that he might even accomplish this sooner if he had one or two good sheep and wool years. George Bond considered that Dillon was a good man on these activities outside the store and counted on him to pursue vigorously all phases of the business to achieve this end.<sup>23</sup> However, this increase in the capital of the company did not develop in quite that way.

Dillon was to receive a salary of \$125 per month,<sup>24</sup> and in addition he was to receive one-third of the profits from the business. It was agreed that all profits would remain undivided until the business was sold out or until a 100 per cent dividend could be declared. If at any time Dillon wished to buy one-third of the capital stock he could do so by giving a note in favor of G. W. Bond and Frank Bond, and he would then receive one-third of the capital stock in return.<sup>25</sup> Interest on the note would be paid at 6 per cent and annual dividends of 6 per cent would be declared so that Dillon would be able to pay his interest on the note; all other profits would remain undivided in accordance with the agreement.<sup>26</sup>

If Dillon did not wish to take one-third of the stock on a personal note to the Bonds, he was at liberty to let his one-third earnings accrue and then to pay cash for an interest in the company at such time as it might be mutually agreed to declare a 100 per cent dividend.<sup>27</sup> It was not until 1917 that Dillon exercised his option and purchased 6,333 shares of the stock, representing a 25.3 per cent interest in the business.<sup>28</sup>

This arrangement for Dillon's advent into the Bond system was explained by George Bond who wrote: "Mr. Dil-

23. Letter of G. W. Bond to Frank Bond, January 4, 1908, Bond Papers, *loc. cit.*

24. Interview with R. C. Dillon.

25. Presumably the stock would become the security for the note. Since Dillon never followed through on this exchange of a note for stock, the point is not recorded. However, this was the usual procedure.

26. Letter of G. W. Bond to Frank Bond, January 4, 1908, Bond Papers, *loc. cit.*; Letter of G. W. Bond to Frank Bond, July 25, 1911, Bond Papers, *loc. cit.*

27. *Records, loc. cit.*

28. Stock Certificate Book (in the files of Frank Bond & Son., Inc., Albuquerque).

lon gets his interest in this business by virtue of being the manager and has full control of the business in every way.”<sup>29</sup>

Sales figures for the first year of the Dillon era are not available, but in the following year, 1909, they amounted to a staggering \$93,000 and represented a turnover of almost five times on merchandise.<sup>30</sup> George Bond, however, was pretty well convinced by this time that 1909 was a high year and that the Encino business could not make more than \$2,500 a year over and above expenses and interest on investment.<sup>31</sup> However, as previously noted, earnings actually went considerably over this figure, and in 1915 they sold almost \$82,000 in merchandise to customers.<sup>32</sup>

Cash balances carried by the mercantile company were heavier than would have been thought necessary, and they are noteworthy in that such large cash reserves were not typical of the policies of the Bonds as exercised in their other areas of interest. Balances at the end of 1912, 1913, 1914, and 1915 were generally in the neighborhood of \$12,000 to \$18,000, most of it being carried in the First National Bank of Santa Fe.<sup>33</sup>

A characteristic of the Encino store that was reflected continuously throughout the period from its founding through 1915 was the large size of the book receivables. In seven years out of the ten, accounts receivable exceeded the inventory of merchandise.<sup>34</sup> In 1914 they amounted to \$28,270.76 and represented accounts with 131 customers ranging in size from \$.25 to \$4,176.60.<sup>35</sup> A comparison of the receivables and year-end inventory is shown in Table 53.

In spite of the relatively high level of receivables, losses were not as great as might be expected. They were usually valued at 90 per cent, but in 1915, the only year for which specific write-off information is available, only \$419.48 were

29. *Records, loc. cit.*

30. Letter of G. W. Bond to Frank Bond, January 1, 1910, Bond Papers, *loc. cit.*

31. *Ibid.*

32. *Records, loc. cit.*

33. *Ibid.*

34. *Ibid.*

35. Accounts payable amounted to \$4,444.75 in that year and represented cash deposits from twenty-six customers, there being nothing at all due to wholesale suppliers. *Ibid.*

written off, against almost \$26,000 in receivables.<sup>36</sup> However the necessity of carrying the accounts gave Frank Bond pause, and in 1914 he wrote: "I don't believe in putting all our profits year after year in accounts and rented sheep. There is a happy limit to all these things."<sup>37</sup>

TABLE 53

G. W. BOND & BRO. MERCANTILE COMPANY  
ACCOUNTS RECEIVABLE AND MERCHANDISE INVENTORY  
(dollars in thousands)

Year	Accounts Receivable	Merchandise Inventory
1906	\$19.6	\$20.4
1907	26.1	24.0
1908	18.6	16.1
1909	18.6	20.3
1910	13.9	18.2
1911	18.0	17.0
1912	22.0	17.0
1913	21.6	18.1
1914	28.3	18.3
1915	25.8	22.4

At the end of 1910 G. W. Bond brought Clarence E. Davenport down to Encino from Trinidad, Colorado, where he had operated the Forbes Wool Company scouring mill since about 1903. The exact role that Davenport was to play is not clear on the record now. That it must have been a difficult one is implicit in the fact that he was to be paid by G. W. Bond personally rather than by the company. His agreement with the elder Bond provided that he would receive \$300 per year plus a one-half interest in all the undivided profits which accrued personally to G. W. Bond after December 31, 1910.<sup>38</sup> Davenport was an old and trusted employee of the Bonds and knew a great deal about the sheep and wool business, but just why G. W. Bond felt it necessary to make this arrangement is somewhat of a mystery. The Bonds had a great deal of confidence in Dillon at that time, and in 1910 the sheep busi-

36. *Ibid.*

37. *Letter Book No. 53*, June 30, 1914, p. 171.

38. *Records*, *loc. cit.*



ness had turned upward from its slump in the previous year. No friction between George Bond and R. C. Dillon is known to have existed as early as 1910, and it is quite possible that the difficulty which developed later was keyed to Davenport's arrival with an important financial tie to the elder stockholder. At any rate, the relationship between Dillon and Davenport must have at least been taut, and it is observed that when Dillon bought his 6,333 shares of stock in January of 1917, Davenport also acquired 4,000 shares which he held until 1921 when his holdings were reduced to one share.<sup>39</sup>

Serious strife in the organization first became apparent early in 1914. By July of that year trouble between George Bond and Dillon had reached the point where Frank Bond, in an effort to mitigate the misunderstanding, suggested that George Bond and Dillon have a face-to-face talk.<sup>40</sup> The question of selling the business arose in this connection, and it is difficult to tell whether the friction between the elder Bond and the Encino manager was the cause or the effect of the former's desire to "pull out" of Encino. Nor was everything always perfectly smooth between Dillon and Frank Bond. In June, Bond offered Dillon \$3.50 for his ewes and the latter agreed by wire to sell at that price. After Bond had committed himself to dispose of the sheep, Dillon jumped the price to \$3.75 and thus placed Frank Bond in a most embarrassing position. He was chagrined, of course, but felt that Andy Wiest had forced Dillon to do it.<sup>41</sup> In spite of such annoyances Frank wrote his brother only a month after the above incident in words that convey no trace of rancor but rather express confidence and trust:

[Dillon] is just as good a man now as he was any time since he joined us, so if he wants to stay on why should he not do as well as he has done? I am certainly willing to risk my money with him, if he wants to stay on.<sup>42</sup>

George Bond was very much in favor of selling out at Encino, and Frank Bond wrote: "I am in favor of selling the

39. Stock Certificate Book, *loc. cit.*

40. *Letter Book No. 53*, July 6, 1914, p. 266; *ibid.*, July 10, 1914, p. 320.

41. *Ibid.*, June 19, 1914, p. 58.

42. *Letter Book No. 53*, July 1, 1914, p. 217.

Encino store. It is too uncertain, somewhat like dry farming." <sup>43</sup> However, the matter was left largely up to Dillon who indicated that he wanted to keep the Encino store going. Although Frank had written on June 30 that he was in favor of selling out, by July 10 he had decided that he did not want to sell, and just a week later he even suggested that it would please Dillon to change the name of G. W. Bond & Bro. Mercantile Company to the Bond-Dillon Mercantile Company. <sup>44</sup> However, nothing ever came of this suggestion directly, <sup>45</sup> and the Encino firm never changed its name.

Since Frank and George were equal partners in both the Encino and Espanola stores, it had made little difference during the early years of the business whether the sheep and wool at Encino were on the Espanola or Encino books. Therefore, all the sheep and wool that were handled at Encino before 1908 were carried on the G. W. Bond & Bro. books at Espanola. Dillon was felt to be "alright on both of these outside items," <sup>46</sup> and so after George returned to Trinidad and Dillon took over, the sheep and wool accounts were carried on the Encino books.

The investment in sheep after it was transferred from Espanola to Encino is presented in Table 54, and the balances reflect a reversal of the trend expected in 1909 when it was generally considered that the sheep business in that area would decline sharply. <sup>47</sup> In 1915 the gross profit from sheep amounted to \$10,500 and represented almost one-third of the \$35,000 gross profit on operations for that year. <sup>48</sup>

During the period under examination, sheep feeding operations were not carried on to any extent by the Encino store, and the accounts for 1914 and 1915 reflected a balance in the sheep feeding account of less than \$30. Feeding activities were discussed, however, late in 1914. <sup>49</sup> The Encino store did have an interest in the Scott and Russell feeding accounts in

43. *Ibid.*, June 30, 1914, p. 171.

44. *Ibid.*, July 2, 1914, p. 219; *ibid.*, July 10, 1914, p. 320; *ibid.*, July 17, 1914, p. 382.

45. A Bond-Dillon Company was organized in Albuquerque some years later, but it was separate from the Encino business.

46. Letter of G. W. Bond to Frank Bond, January 4, 1908, Bond Papers, *loc. cit.*

47. Letter of G. W. Bond to Frank Bond, January 1, 1910, Bond Papers, *loc. cit.*

48. *Records, loc. cit.*

49. *Letter Book No. 55*, October 14, 1914, p. 486.

the winter of 1914-1915;<sup>50</sup> the former producing a profit in the spring of 1915 amounting to \$1,910.30,<sup>51</sup> and the latter showing a profit of \$1,164.63,<sup>52</sup> or a total of \$3,074.76 from the two sheep feeding accounts. The company showed a profit on feeding operations for that year of \$2,604.65, or \$470.11 less than the total gross amount realized, so this may have been the Encino store's investment in the feeding account for that year.<sup>53</sup>

TABLE 54

## G. W. BOND &amp; BRO. MERCANTILE COMPANY SHEEP INVESTMENT

(dollars in thousands)

Year	Amount	Sheep <sup>a</sup>
1908	\$11.4	
1909	.0	1,434 <sup>b</sup>
1910	15.8	
1911	14.6	7,596
1912	28.8	
1913	26.6	
1914	34.2	12,861 <sup>c</sup>
1915	41.6	14,392 <sup>c</sup>

<sup>a</sup> Data not available for years not shown.

<sup>b</sup> Sheep on hand, but not picked up in inventory.

<sup>c</sup> On rent.

The only untoward event that transpired at Encino was a fire in 1914. In June of that year Frank Bond wrote to Dillon expressing his regrets and advising him to carry full insurance. However, the matter was never mentioned again nor is there any evidence of a fire loss on the financial statements. It was therefore in all probability a minor fire, and due to the fact that it happened just shortly after the major fire of 1914 in Espanola, the concern that it might otherwise have caused was all but lost in the larger misfortune.<sup>54</sup>

50. *Letter Book No. 56*, December 5, 1914, p. 228.

51. *Letter Book No. 58*, June 1, 1915, p. 353.

52. *Letter Book No. 57*, April 23, 1915, p. 630.

53. *Records*, loc. cit.

54. *Letter Book No. 53*, June 23, 1914, p. 99.

## *Notes and Documents*

### THE EURINDIAN: A SUBJECT FOR SOUTHWESTERN STUDIES

By Jack D. Forbes

Most studies dealing with the Southwestern region have considered two major ethnic types, the caucasian (Spanish or Anglo-American) and the Indian. It is my opinion, however, that a third type can be distinguished and profitably dealt with by the historian, anthropologist and sociologist. I have reference to the eurindian, i.e., persons of mixed Indian-caucasian ancestry.

Eurindians have been very important in the history of the Southwest, as in other areas of the Americas, and it would seem worthwhile for scholars to undertake studies dealing with this hybrid ethnic group. Much of the post-conquest history of New Mexico and California, for example, revolves around the activities of the eurindian, rather than either caucasians or Indians. To be specific, relatively few caucasian Spanish subjects ever went to the northern frontier of New Spain. The vast majority of Spanish-speaking settlers and soldiers in this area were non-caucasians, i.e., eurindians, Indians, afro-urindians eurafricans (negro-caucasian hybrids) or negroes, with the eurindian gradually predominating. Furthermore, the virtual absence of caucasian women on the frontier meant that those caucasian men who settled in the area produced eurindian progeny. Thus in New Mexico the Hispanic population became largely eurindian with only the upper military officials and the clergy being of pure caucasian stock. Still further, many of the indigenous groups of the region became partially eurindian with the acquisition of caucasian genes due to miscegenation and the adoption of captured Hispano-eurindians (as with the Apache especially).

The eurindian was especially important in pre-1848 California because over ten times as many men as women migrated from Mexico to that area, and the majority of these migrants were apparently non-caucasian to begin with. In California the Spanish-speaking population (*gente de raza*) increased rapidly due to miscegenation with California Indian women. Thus the Hispanic population of the area became increasingly eurindian (and Indian), with possibly only the upper strata being caucasian. During the Mexican period (1822-1847) many or most of the governors and provincial leaders were eurindians of one shade or another.

Thus when one speaks of the Hispano-Mexican era in the Southwest one is speaking of a period initially led by caucasians but in which the eurindian always was a essential element. By the Mexican period lighter-skinned eurindians had definitely achieved a position of leadership.

Since 1848 the eurindian has continued in importance as witnessed by the following items: (1) Many of the fur trappers, traders and guides who opened up the Southwest were eurindians. Examples, are Jean B. Charbonneau, Pauline Weaver, Antoine Leroux, and Jose Jessum. (2) The indigenous tribes of the region have become increasingly eurindian. Thus a majority of the California Indians are actually eurindian today. (3) Many eurindians have been at least partially absorbed into the caucasian community, with a resultant dispersal of Indian genes. (4) There are several millions of Mexican-Americans in the area and they are largely eurindian. It would seem that this group can best be understood in terms of their racially hybrid character.

It should be clear that the eurindian forms an important ethnic type in the Southwest and is worthy of investigation. Undoubtedly many problems can be defined which, upon solution, will shed much light upon the effects, culturally, historically, and genetically, of hybridization. Likewise, significant eurindian-Indian and eurindian-caucasian contact studies can be made. It is hoped that this brief article will help to stimulate interest in the subject.

San Fernando State College

JACK D. FORBES

#### KILLED BY THE KID

The killing of F. P. Cahill is the first authenticated murder attributable to Billy the Kid. It is, of course, possible that Cahill had been preceded by the Chinese gambler allegedly shot at Globe, but at the very best the story of the latter's demise comes to us secondhand,<sup>1</sup> and so far no one has presented any contemporary evidence to substantiate its right to be accepted as anything but folklore. Regardless of whether Cahill was number one or number two on the Kid's list, has an unimpeachable claim on our interest: he was the only one of Billy's victims who left behind him his version of the fatal meeting.

Cahill, who appears to have been a blacksmith familiarly known as "Windy," was mortally wounded in George Adkin's saloon at Camp Grant, Arizona, on August 17, 1877. The article in which the *Tucson Arizona Citizen* reported the affair was disinterred some years ago.<sup>2</sup> Very recently, however, the writer was browsing through some microfilm copies of the

1. Rasch, Philip J., *The Twenty-One Men He Put Bullets Through*. *New Mexico Folklore Record*, IX:8-14, 1955.

2. Rasch, Philip J. and R. N. Mullin, *Dim Trails: The Pursuit of the McCarty Family*. *New Mexico Folklore Record*, VIII:6-11, 1954.

Tucson *Arizona Weekly Star*. To his pleased surprise his eye suddenly lit on an item which contained Cahill's death bed account of the encounter. The article is reproduced in full below.

Frank P. Cahill was shot by Henry Antrem *alias* Kid, at Camp Grant on the 17th, and died on the 18th. The following are the dying words of the deceased:

I, Frank P. Cahill, being convinced that I am about to die, do make the following as my final statement: My name is Frank P. Cahill; I was born in the county and town of Galway, Ireland: yesterday, Aug. 17th 1877, I had some trouble with Henry Antrem, otherwise known as Kid, during which he shot me. I had called him a pimp, and he called me a s—— of a b——; we then took hold of each other; I did not hit him, I think; saw him go for his pistol, and tried to get hold of it, but could not and he shot me in the belly; I have a sister named Margaret Flannigan living at East Cambridge, Miss., and another named Kate Conden, living in San Francisco.<sup>3</sup>

PHILIP J. RASCH

U. S. Indian School  
Thoreau, New Mex.  
December 14, 1953

Mr. R. C. Pettingell, Ed.  
Sun Trails,  
Albuquerque, N. M.  
Dear Mr. Pettingell:

Enclosed are the spot, the write up, and the photo that I promised you. Will you please return the photo after you have finished with it?

Well Christmas is almost here. I have two little girls and they are very anxious. I haven't worked since my operation & sometimes the sledding is pretty rough. I wonder if you couldn't make an exception and pay me for the rest of this job? I would like to get a few presents for the girls and my wife. She keeps us in groceries but there's never any thing extra & I thought that at Christmas we ought to have a little extra. I know of no one I can ask except you and I hope you can do this for me. Let me hear from you, I am,

Sincerely,

Paul F. E. Goodbear

P.S. Magazine called "Real" has article entitled, "The Fighting Cheyennes." Got my copy at cigar store south of Hilton Hotel. Article seems to be pretty accurate.

3. Tucson *Arizona Weekly Star*, August 23, 1877.

## A POINT OF VIEW

"En venticino de Diciembre de mil ochocientos cuarenta y dos en el camposanto de esta Parroquia de la Villa de Mier. Yo El Presbitero Don. Jose Luis Gonzaga Garcia Cure. [Cura Interino] Interino de dicha Villa. Di sepultura Eclésiastica en restura [? indistinct] menor al cuerpo de Don Jacinto Carrillo adulto no he [? se] confesó por haber estado ausente el Padre por la guerra de los godames americanos, fue casado con Dona Carmen . . . ." Church of La Purisima Concepcion de Ciudad Mier, Tamaulipas, Mexico.

## Book Reviews

*Kirby Benedict, Frontier Federal Judge.* By Aurora Hunt. Glendale, Calif.: Arthur H. Clark Company. Illustrations, map, index, bibliography, \$9.00.

In 1951, Miss Aurora Hunt, of Whittier, Cal., a diligent researcher and capable writer, wrote *The Army of the Pacific*, detailing its operations in California, Arizona and New Mexico, during the years 1860 and 1866. In 1958 Miss Hunt wrote *Major General James H. Carleton*, likewise an important contribution to Southwestern history. As a companion piece to *The Army and the Pacific*, and *Carleton*, Miss Hunt has now written *Kirby Benedict, Frontier Federal Judge*. For many years Judge Benedict has been a shadowy figure of Territorial days in New Mexico, remembered principally because of the famous sentence he is reputed to have imposed upon unfortunate José Maria Martín, a convicted murderer.

Born in Connecticut in 1810, according to Miss Hunt's book, Benedict was appointed an Associate Justice of the Territorial Court of New Mexico by President Pierce in 1853. Benedict traveled as a young man from New England through Ohio to Mississippi, where he studied law and was admitted to the bar. He retraced his steps to Illinois, in which state he became a member of the legislature, and rode circuit with Abraham Lincoln. Benedict traveled in New Mexico at times with W. W. H. Davis, United States Attorney in the fifties, who wrote *El Gringo* and *Spanish Conquest of New Mexico*, two important books about Territorial days.

Chief Justice of the Supreme Court in New Mexico during the Civil War years, Benedict had ample opportunity to know and observe military and political situations at first hand. He kept a journal and wrote articles for newspapers occasionally, sometimes using a non de plume. He was a prolific letter writer. He freely communicated his thoughts by means of the spoken word to friend and foe, which at times got him into trouble. In his latter years Kirby Benedict ap-



parently failed to develop an immunity to the after effects of excessive consumption of alcoholic beverages. As a result, he became involved in needless quarrels with bench and bar. He died in Santa Fe on Feb. 27, 1874.

The twenty years Kirby Benedict spent in New Mexico, as judge, lawyer and newspaper editor, spanned a most interesting era in New Mexico's history. After Abraham Lincoln's election to the Presidency, Kirby Benedict seemingly relied heavily on his acquaintance and friendship with him. Repeated claims of influence, and continual boasting of friendship with the President, contributed substantially toward Benedict's eventual downfall. Kirby Benedict's portrait for all New Mexicans to see has now been well painted by Miss Hunt. From now on out there will be no need to speculate about Kirby Benedict. Making good use of Benedict's materials and of official papers and documents in Santa Fe and Washington, Miss Hunt has been successful in writing a most interesting and valuable book on colorful early days in New Mexico. Miss Hunt has written down everything that it is necessary to know about him in order to form an appropriate opinion about his life and times in New Mexico.

Albuquerque

WILLIAM A. KELEHER

*Nebraska Place-Names.* By Lilian L. Fitzpatrick. Including selections from J. T. Link's *Origin of the Place-Names of Nebraska*. Edited with introduction by G. Thomas Fairclough. Lincoln: University of Nebraska Press, 1960. Pp. 227. \$1.50.

Isaac Taylor, that indefatigable, though often pedantic, English philologist wrote in his now classic, *Words and Places* (1865, p. 1)

Local names—whether they belong to provinces, cities, and villages, or are the designations of rivers and mountains—are never mere arbitrary sounds, devoid of meaning. They may always be regarded as records of the past, inviting and rewarding a careful historical interpretation.

The volume being reviewed is sufficient proof of the accuracy of Mr. Taylor's statement. *Nebraska Place-Names* originally appeared in 1925 in the University of Nebraska serial *Studies in Language, Literature and Criticism*. In addition to Miss Fitzpatrick's work, the editor decided to include a fifty-seven page essay by John T. Link, *The Origin of the Place-Names of Nebraska*, which was first published in 1933 as a *Bulletin* of the Nebraska Geological Survey.

The editor, in his introduction, has gently suggested that an obvious motivation for the present edition was to offer the works to a larger audience than was reached by the first publication. A point well taken as we are all familiar with a number of valuable (though oft times esoteric) works which are buried in a University publication series, out of sight, out of mind.

Miss Fitzpatrick limited her study to the names of Nebraska communities. Her material is organized in a gazetteer fashion alphabetically by counties and then by towns within the counties. Brief annotation is provided for each town, the whole followed by an index which serves as an adequate cross-reference. In the sum, the organization is direct and easily accessible for the researcher.

Most Nebraska community names were derived from five sources: personal names, from nearby geographical features, from names transferred from foreign origin, Indian names and those of "coined" origin. An intriguing, though understandable, fact was that of the more than two hundred names of personal derivation over seventy were those of the "first" postmaster, with town founders and railroad officials respectively a poor second and third choice.

Many students have and will find Miss Fitzpatrick's compilation useful. We can only regret that she restricted her subject to communities instead of also including geographical features. In addition, it would have been helpful for non-Nebraskans if the author had included a pronunciation guide.

John T. Link's essay differs in scope, interest and organization from Miss Fitzpatrick's work. Mr. Link was concerned with the origin of geographical place-names. How-

ever, in spite of the more ample annotation, the erratic selection plus the absence of an index will thwart all but the most persevering of users.

It has been eighteen years since George R. Stewart first offered a preliminary plan for a place-name study for the entire United States, on a state by state basis. In the age of governmental largesse and foundation grants, which have in recent years provided funds for so many "pilot" projects, perhaps it is not Utopian to anticipate the eventual fruition of Stewart's survey. Until we do have such a study, the publishers of Nebraska are to be commended for making the present work available.

Finally, the University of Nebraska Press deserves commendation for the inauguration of the Bison Book series. With the current boom in Western Americana, the future will bode well for paperback editions of this quality and selectivity.

Archivist, University of Wyoming

GENE M. GRESSLEY

*Saints in the Valleys.* By Jose E. Espinosa, with a Foreword by Fray Angelico Chavez. The University of New Mexico Press, 1960. Bibliography. \$6.50.

This work, made possible by a grant from the Ford Foundation, is not only a study of the work of the native New Mexico painters and sculptors of sacred images during the 18th and 19th centuries (circa 1795 to 1860). It embodies, likewise, a history of New Mexico told from the point of view of the author in his search for records of the importation and manufacture of such images.

The recognition that folk art is a rich contribution to the civilization of the world, having a strong appeal even to the most sophisticated lover of art, has, in recent years, stimulated a wide interest in primitive American art forms. These range across the whole field of human living on this continent and along the entire route of our history as colonies of European powers and as a nation.

The objects which constitute the vast treasury of this art are found in museums, in second hand stores, in the possession of collectors and even in the stores, churches and public and private dwellings which were their natural habitat. They embrace such diverse things as the signs, helmets, buckets and engines of the volunteer firemen, the colonial doorways of New England, and the ingenious tools of a century or more ago. Newcomers in the field (insofar as the attention of the world of art is concerned) are the *santos*, or images of the saints, painted on wooden panels (the *retablos*) or carved into statues of wood (the *bultos*) of the Spanish Southwest.

The author of this volume at page xii of the Preface seems to state that their grace and elegance can only be sensed by "those who share, even in part, the faith of those who made them." And the author of the Foreword refers, patronizingly it seemed to me, to scholars like E. Boyd, the undoubted leader in their study, and even suggests that they do not have the qualifications of Dr. Espinosa because they are not Catholics. However that may be, the *santos* have, in fact, become the property of the artistic world. Like the religious paintings of Raphael and the great carved figures of the Buddhist sculptors they represent more, even, than the expression of a particular religion and have become manifestations of the striving of the human spirit toward beauty, truth, goodness and God.

There are few works of real scholarly value dealing with the *santos* and this is one of them. In the first 35 pages the author has listed, in the course of a summary of New Mexican history, numerous references to the *santos* by observers, historians and others. This portion is followed by a number of plates, identified, where possible, as the work of known makers. Chapter 5 deals with the classification and technology of the *santos*. Chapter 6 deals with the *retablo* painters and lists the twelve *retablo* painters who have been identified. Unfortunately, none of the published works on the *santos* contain enough plates to give the reader much help in making his own comparisons and identifying them himself, and this is no exception. A comprehensive exhibition of *santos*, identified works of the various *santeros* being

grouped together, would be a real contribution to understanding of the subject. Chapter 7 on the bulto carvers is the first separate study of this subject which I have encountered and hence was of special interest to me. Chapter 8 deals with the part played by the santos in New Mexican life and is one of the most interesting. There are eight appendices, some of considerable interest. Appendix A (perhaps the most valuable) deals with Christian iconography and contributes definitions of symbols (referring to abstract qualities of the saint, such as learning, piety, purity, etc.), attributes (objects shown with the figure or painting and related to personal history or legend), emblems (similar objects which, standing by themselves, are symbols of the saint, but representing the concrete rather than the abstract), and types (objects associated with Christian doctrines). An extensive bibliography and an index conclude the volume.

University of New Mexico

J. D. ROBB

*The Southwest: Old and New.* By W. Eugene Hollon. New York: Alfred A. Knopf, 1961. Pp. xvii, 487. Maps, bibliography, illustrations, index.

Professor Hollon's history is the first general survey of Oklahoma, Texas, New Mexico and Arizona. Barring some weaknesses noted later, the study is well and interestingly written, and generally accurate. The book falls into three parts, preceded by an outline of Southwestern geography, whose area should read 570,000 square miles, p. 21. With his choices of regions some would quarrel, but Hollon readily admits disagreement.

The first part of the volume surveys the pre-historic, Spanish-Mexican period to 1848. This section is the weakest. Navajo locations p. 30 and 31 are not correctly given. Pajanto should read Pajarito, p. 26. The Apache ranged east and northeast far beyond the Pecos River. Coronado passed through Zuñi, not Hopi, p. 28. The Comanche, not on the plains when the white men arrived (p. 36) emerged from the mountains about 1700. Unfortunately, Professor Hollon has

accepted opinions, still widely current, of white men who seized Apache lands. The chapter devoted to the Spaniards is by far the most inadequate in the book. The author shows himself unfamiliar with the importance Spain attached to New Mexico, then including Arizona, founded originally as an outpost to protect northern Mexico. Its internal history in the seventeenth century developed a life of its own within which the Pueblo Revolt and the Re-Conquest have an explanation, but here receive no significant treatment. The eighteenth century fares fully as badly. Although he presents a competent survey of the approach and retreat of the French in the Southwest, he missed the other great theme of the century: Spanish-Indian conflicts that ranged from the Navajo attacks upon the settlements to the clash of the Apache and Comanche, both of whom bore down upon Texan, New Mexican and north Mexican settlements. Their range of destruction was so great that the Spanish government launched a twenty-year program of defense that had a significant bearing upon the evolution of the area. All this history remains a closed book, however, to the author, and accounts for his isolated treatment of Kino and Garcés. Because the rest of the volume is done with such excellence, the reviewer hopes Professor Hollon will bring, on revision, the earlier part up to the same high standard.

The second party of the study covers roughly the nineteenth century. Included are a survey of American expansion westward, early explorers, the growth of the western fur and Santa Fe trade, colonization of Texas, and the transfer of the Five Civilized Tribes to Oklahoma. His account of life and culture in Texas is absorbing. The chapter surveying the Mexican War presents the accepted and well-established facts, i.e. those isolated from the Mexican side of the story, of the American winning of the war and the annexation of southwest territory completed with the Gadsden Purchase. The simultaneous acquisition of California and the discovery of gold there opened the way for overland trails. Here the author shows the effect of this movement upon population growth in the Southwest and the effort to develop communications by coaches and camels. He makes effective use of the

struggle for communications both as a factor in Southwestern development, and as an element in the sectional conflict in the nation. His treatment of the Civil War in the Southwest is competent, dealing with the chief efforts of the Confederates to occupy New Mexico and Arizona, and the attitude of the Five Civilized Tribes toward the struggle. Missing is any reference to the changing of the northern New Mexico boundary in 1861, the evacuation of Fort Stanton, and the efforts of the Confederate agents to win the Comanche as allies. The nineteenth century is completed with a survey of events leading Oklahoma, Arizona and New Mexico to statehood, and an account of the changing Indian. Here it should be noted that his treatment of the Indian's relation to Southwestern history is episodic. He makes no effort, nor does anyone else for that matter, to view the Indian in relation to the historical process in the area. He gives a good account of the well-known facts of the reservation system and present day condition among the Pueblos, and occasionally hints at the rapacity of the whites in seizing Indian lands. But he falls back upon the usual interpretation when he notes that Indians used agents' headquarters as feeding stations between raids, but makes no mention of the incessant Indian plea, principally Apache, for lands to cultivate.

Outstanding is Professor Hollon's survey of Southwestern development in the twentieth century. The chapter on Desert and Oasis pinpoints the critical importance of water for the present and future of the area, and contains Webb's too little known thesis of conserving water in the vast Texas area. With the possibility of water shortage looming, Hollon next examines the fabulous industrial boom which has converted the Southwest from an agrarian, rural economy to an urban one. Hollon is due for special praise here, also true for his later chapters, for his detailed and extensive research. Here he has broken new ground but his firm grip on a huge range of data on population change, industrial statistics, and state and national policies for the four states, enables him to write both with absorbing interest and paint an extraordinarily clear picture of the present Southwest. Following this excellent study of the economy are two priceless chap-

ters on Southwestern politics which embrace, for Texas and Oklahoma, such characters as the Fergusons and O'Daniel in Texas, and Murray in Oklahoma. For New Mexico he clarifies the *patrón* system which Bronson Cutting dominated so effectively. For Arizona Hollon shows that the spectacular boom brought forward in that usually democratic state a figure, not on the low level as the howling O'Daniel of Texas for example, but a conservative Republican trumpeting lamentations—Barry Goldwater. Those interested will find in these two chapters a sound explanation why two of these four normally democratic states voted Republican in 1960.

Turning his attention to Southwestern culture, Hollon provides an excellent view, for the four states, of the status of education, the contributions of the universities and their presses, Southwestern interest in Indian art and the theatre, and the literary achievements of poets, writers and historians, with especial emphasis upon Dobie and Webb in Texas. His final chapters on Cities and Culture bring out the factors that have contributed to the phenomenal growth of, among others, Albuquerque, Phoenix, Oklahoma City, Tulsa, Houston, Dallas, Fort Worth, and San Antonio. Throughout, the contribution of the United States government in scattering its defense plants is apparent, and plaguing these new metropolitan areas are problems of transportation and water supply.

With two exceptions noted below, Professor Hollon has written an outstanding survey of the major developments influencing the history of the Southwest. The weaknesses of the book are in this reviewer's opinion, an inadequate presentation of (1) the main lines of colonial development and the positive contributions of Spain to the Southwest; and (2) the role of the Indian as a factor in the area's history up to the end of the nineteenth century. While Professor Hollon is not obligated to present conclusions, this reviewer believes he would strengthen his work if he would note briefly what he thinks are the main lines of evolution in the Southwest, and the relations of its recent phenomenal development to the nation as a whole.



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